



# Questionnaire

## Part II

**Information provided by the Government of the Republic of Moldova  
to the Questionnaire of the European Commission**

### **CHAPTER 27: ENVIRONMENT AND CLIMATE CHANGE**

May 2022

EU environment and climate policy promotes strong climate action, sustainable development and protects the environment for present and future generations. It is based on preventive action, the 'polluter pays' principle, fighting environmental damage at source, shared responsibility and the integration of environmental and climate change considerations into other EU policies. This integration is at the core of the European Green Deal, the new EU growth strategy, aiming at turning the interrelated environmental challenges (climate change, biodiversity loss, pollution, all driven by unsustainable consumption and production) into opportunities while making EU climate neutral by 2050, based on a systemic and coherent approach under the “do no harm” principle.

The Chapter 27 *acquis* comprises over 200 major legal acts covering both horizontal and sectoral legislation (air quality, waste management, water quality, nature protection, industrial pollution control and risk management, chemicals, noise, civil protection and climate change). Compliance with the *acquis* covered by this chapter requires significant investments and a structured co-operation among all stakeholders including local authorities, industry and civil society. Furthermore, transition towards the climate neutral and resilient economy as per the Paris Agreement and in line with EU Climate Law will require robust reforms in all economic sectors, particularly energy, transport, agriculture and forestry, among others, and a coordinated effort in each country to reach that ambitious objectives. Moreover, a strong and well-equipped administration at national and local level is imperative for its implementation and enforcement.

## ***I. GENERAL ENVIRONMENT AND CLIMATE POLICY***

**1. Are there any constitutional provisions in relation to environmental protection, fighting climate change and/or sustainable development? Which authorities are responsible for environment and climate policy?**

According to the Constitution of the Republic of Moldova<sup>1</sup>, environmental protection is regulated falling under by the following articles:

- Art. 37 „The right to a healthy environment”, providing that everyone has the right to an ecologically sound environment for life and health, as well as to safe food and household goods.
- Art. 59 „Environmental protection and preservation of monuments”, stating that the protection of the environment and the preservation and protection of historical and cultural monuments is an obligation of every citizen. Therefore, the exercise of citizens' environmental rights is always closely linked to the fulfilment of their obligations towards society and the state. In this respect, the provisions of Articles 31 and 32 of the Law No.1515/1993 on Environmental Protection<sup>1</sup> stipulate that environmental protection is a general obligation of the inhabitants of the Republic and that companies, regardless of the form of ownership, are obliged to protect the environment.
- Art. 126 para. (2) let. f) „Restoring and protecting the environment and maintaining ecological balance”, providing that the State has an obligation to rationally exploit the land and other natural resources in accordance with national interests and to ensure the restoration and protection of the environment, as well as to maintain the ecological balance and the creation of conditions for increasing the quality of life.
- Art. 127 para (4) states that any kind of the riches of the subsoil, the airspace, the waters, and forests used in public interest, the natural resources of the economic zone and of the continental shelf, the communication routes, as well as other goods established by law, are the exclusive object of public property. Further on Art. 15 of the Law No. 1102 /1997 on Natural Resources<sup>2</sup> establishes an economic mechanism for the management of natural resources aimed at stimulating the sustainable economic use of renewable natural resources and the saving of non-renewable ones.

The Constitution of the Republic of Moldova states that the constitutional provisions on human rights and freedoms shall be interpreted and applied in accordance with the Universal Declaration of Human Rights, the Pacts, and other treaties to which the Republic of Moldova is a party. In the event of inconsistencies between the pacts and treaties on fundamental human rights to which the Republic

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<sup>1</sup> [https://www.legis.md/cautare/getResults?doc\\_id=130524&lang=ro](https://www.legis.md/cautare/getResults?doc_id=130524&lang=ro)

<sup>2</sup> [https://www.legis.md/cautare/getResults?doc\\_id=109389&lang=ro](https://www.legis.md/cautare/getResults?doc_id=109389&lang=ro)

of Moldova is a party and its domestic laws, international regulations shall have priority (Constitution, Art. 4). The Republic of Moldova ratified the Aarhus Convention on 7 April 1999, by Parliament Decision No.346/1999 on the ratification of the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters<sup>3</sup>. The Aarhus Convention in the Preamble recognizes that *every person has the right to live in an environment adequate to his or her health and well-being, and the duty, both individually and in association with others, to protect and improve the environment for the benefit of present and future generations*. According with Law No.595/1999 on the international treaties of the Republic of Moldova<sup>4</sup>, the Aarhus Convention is directly applicable in the legal and judicial system of the Republic of Moldova.

The following authorities are responsible for environment and climate policy:

- The *President of the Republic of Moldova*<sup>5</sup>: a) represents the interests of the Republic of Moldova in the field of environmental protection in international relations; b) is responsible to the world community for the state of the environment in the Republic.
- The *Parliament of the Republic of Moldova*<sup>6</sup>: (a) approves general policy principles in the field of environmental protection and the use of natural resources; b) adopts legislation on the protection of the environment and the use of natural resources; c) approves, on the proposal of the Government, limits on the use of natural resources of national importance, limits on harmful emissions and discharges into the environment, limits on the storage of production and household waste on the territory of the Republic, fees for the use of natural resources, for environmental pollution and for the landfill of waste; d) approves environmental recovery programmes; e) declares territories as ecological crisis or ecological disaster zones, determines the regime of administration in them and the status of citizens; f) hear the Government's annual report on the state of the environment in the Republic.
- The *Government of the Republic of Moldova*<sup>7</sup> has a few blocks of responsibilities related to environment and climate policy:
  - implements Parliament's policy on environmental protection and ensures the rational use of natural resources;
  - draws up the cadaster of natural resources;

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<sup>3</sup> [https://www.legis.md/cautare/getResults?doc\\_id=59140&lang=ro](https://www.legis.md/cautare/getResults?doc_id=59140&lang=ro)

<sup>4</sup> [https://www.legis.md/cautare/getResults?doc\\_id=92552&lang=ro](https://www.legis.md/cautare/getResults?doc_id=92552&lang=ro)

<sup>5</sup> Art. 7, Law No. 1515/1993 on environmental protection:  
[https://www.legis.md/cautare/getResults?doc\\_id=130524&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=130524&lang=ro#).

<sup>6</sup> Art. 6, Law No. 1515/1993 on environmental protection:  
[https://www.legis.md/cautare/getResults?doc\\_id=130524&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=130524&lang=ro#).

<sup>7</sup> Art. 8, Law No. 1515 /1993 on environmental protection:  
[https://www.legis.md/cautare/getResults?doc\\_id=130524&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=130524&lang=ro#).

- adopts decisions on the temporary or permanent withdrawal from agricultural use of land that has been dried up or endangered by geological processes, on the establishment of land for afforestation, on the creation of health and protection zones and on the establishment of protective forestry fences;
- ensures, together with the local public administration authorities, actions for the conservation of biological diversity; e) coordinates the environmental protection activities carried out by ministries, departments and local government authorities;
- develops environmental quality improvement programmes for the following year;
- develops measures for the prevention of environmental crises, accidents and disasters, and in the event of their occurrence organizes a complex of actions to liquidate their consequences;
- determines the location and the regime of republic-wide polygons for the landfill and processing of production waste, the storage of toxic and radioactive substances, as well as regulate its transportation and inactivation;
- organizes and supports the activity of environmental education, creates the system of environmental training at all levels of the education system, ensures the training of specialists in the field of environmental protection;
- ensures the foreign relations of the Republic of Moldova with other states and international bodies in the field of environmental protection;
- appoints the deputies of the head of the central authority for natural resources and environment;
- supports the financing of the activity and the technical and material equipment of the Ministry of Environment and its subdivisions, the financing of the state order for scientific researches in the field of environmental protection and rational use of natural resources;
- requests the authorities of the administration of the economy to develop and ensure the implementation jointly with the authorities of the local public administration, research institutions in the respective fields and environmental authorities of programmes and recommendations on: protection and improvement of land in the process of management in accordance with its use and the functional specificity of ecosystems; change of land use according to the results of environmental impact assessment or strategic environmental assessment; reduction of industrial water consumption and prevention of its loss, increase of its use, prevention of unbalanced eutrophication of surface waters and pollution of groundwater with chemicals; energy saving, maximizing the efficiency of its use, reorienting energy policy towards decentralized and local energy production, preferably by

applying alternative energy sources (wind, solar, biomass); improving technical performance in order to reduce atmospheric emissions, eliminating the use of chlorofluorocarbons, reducing atmospheric pollution with Sulphur dioxide, nitrogen oxides and volatile organic compounds, reducing exhaust emissions, noise and vibrations in accordance with the provisions of treaties and interstate and international agreements in this field; the development of economic and management instruments to minimize waste generation by making the most efficient use of raw materials, reducing the use of toxic, corrosive and flammable substances, or replacing them with domestic alternative materials, increasing the period of use of production and recycling it.

- *Public administration authorities of the district (Rayon), municipality in conjunction with local environmental and health authorities*<sup>8</sup>: ensure compliance with environmental protection legislation; approve, in agreement with the Ministry of Environment, limits on the use of natural resources, except for limits on the use of resources of national importance, limits on harmful emissions and discharges into the environment, except for those exceeding the territory of the district, municipality, limits on noise pollution; limits on the landfill and generation of household waste, as well as for storing and processing industrial waste; supervise and coordinate the activity of municipalities and prefectures in the field of landfilling and processing of the industrial, as well as recovery and landfill and the household waste, construction and operation of wastewater treatment plants, installation of equipment and facilities for the containment and neutralization of noxious substances, preventing and combating landslides, erosion, salinization, compaction and soil pollution with mineral fertilizers and pesticides, the rational use of grassland, the allocation of land to ensure the necessary degree of afforestation, the creation of protective forestry and green spaces; organize the elaboration and implementation of district and municipal ecological programmes, ensures the implementation of ecological reconstruction works and the restoration of ecological balance in areas affected by anthropic activity; declare as protected areas monuments of nature of ecological and landscape interest of the district, municipality; ensure systematic and operative information of the population, enterprises, institutions, organizations on the state of the environment in the district, municipality; contribute to the training and awareness raising of the population in the problems of environmental protection and rational use of natural resources.
- *The commune (village), town and city authorities in cooperation with the local environmental and health authorities*<sup>9</sup>: ensure the preservation of a

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<sup>8</sup> Art. 9, Law No. 1515 /1993 on environmental protection:  
[https://www.legis.md/cautare/getResults?doc\\_id=130524&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=130524&lang=ro#).

<sup>9</sup> Art. 10, Law No. 1515 /1993 on environmental protection:  
[https://www.legis.md/cautare/getResults?doc\\_id=130524&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=130524&lang=ro#).

healthy environment and the rational use of natural resources, exercise permanent control over compliance with environmental protection legislation; annually approves jointly with the environmental authorities limits on the use of natural resources, with the exception of limits on the use of resources of district importance; limits on harmful emissions and discharges into the environment, with the exception of those exceeding the territory of the commune (village), town; limits on noise pollution; limits on the landfill and generation of household waste, as well as for storing and processing industrial waste; determine the perimeters for the storage of production and household waste, construction waste, scrap iron, organize their inactivation and use, determine the places for animal burial sites, for accumulation, processing, recovery and neutralization of waste that cannot be processed; ensure the construction and operation of waste water treatment plants in accordance with the standards laid down for waste water, supervise the equipment and devices for the pre-treatment of waste water and the containment of noxious substances; organize the closure and after-care landfill and the reconstruction of areas that have been deeply damaged from the point of view of landscape and ecological balance, such as: surface mining sites, ash dumps, phosphogypsum, industrial slurry dumps on behalf of the economic agents that caused the damage; restore and maintain the scientifically substantiated relationship within the area between arable land, grazing land, forests and waters in order to preserve the natural balance in ecosystems, delimit grazing land, taking into account their animal stocking, production potential and soil and vegetation protection requirements; ensure the implementation of measures to prevent and combat landslides, erosion, salinization, compaction and soil pollution with mineral fertilizers and pesticides; the allocation of land for new objectives, multi-year plantations, irrigation masses that are allowed only on the basis of the authorization of the geological service; allocate land for the necessary degree of afforestation, particularly in areas with a shortage of forests, organize the afforestation of impracticable agricultural land, planting and maintenance of forest protection fences, tree and shrub rows, green spaces, parks and gardens; give priority and relief to enterprises carrying out non-polluting economic activities and closed-loop production systems, and stop planning, construction and works for which the environmental authorities have granted permission. Contributes, together with the beneficiary, to the organization and execution of the public environmental expertise of the project documentation for objects that imply changes to the environment or its components; supports the initiator of the planned activity in the organization of the public information process and public debate on the environmental impact assessment documentation of the planned objects or activities; ensures that the strategic environmental assessment of plans, programmes that are approved by the local public administration

authorities is carried out, in accordance with Chapter II of the Law No. 11/2017<sup>10</sup> on strategic environmental assessment.

*The implementation of environmental policy is ensured by the following institutions*

- Ministry of Environment - central authority, policy developer and implementer, responsible for the environmental protection and rational use of natural resources, is subordinated to the Government. The Ministry's mission is to assess the environmental situation and identify environmental issues, develop effective public policies in all the environment areas (environmental protection; climate change; sustainable management of natural resources), monitor the quality of policies and regulations and propose state interventions to provide effective solutions in the areas of competence, ensuring the best ratio between the expected results and the expected costs.<sup>11</sup> The Ministry operates in accordance with the Constitution, the regulation of the central authority for natural resources management and environmental protection approved by the Government, laws and regulations. (Arts. 11-12, Law no. 1515 /1993)<sup>12</sup>.
- Environmental Agency<sup>13</sup> - The Agency's mission is to ensure the implementation of the environmental protection policy, achieving the best ratio between the expected results and the budget allocations approved by the annual budget law<sup>14</sup>.
- Environmental Protection Inspectorate<sup>15</sup> - The mission of the Inspectorate is to implement the state policy in the field of environmental protection and rational use of natural resources, exercise state control and supervision, prevent and counteract violations in the areas of competence to ensure a high level of supervision and protection of the environment, public interests, ecological safety of the state and other values protected by legislation.
- Forest Agency "Moldsilva"<sup>16</sup> – The Agency is empowered to ensure the implementation of state policy in the fields of forestry and hunting.

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<sup>10</sup> [https://www.legis.md/cautare/getResults?doc\\_id=105551&lang=ro](https://www.legis.md/cautare/getResults?doc_id=105551&lang=ro)

<sup>11</sup> Government Decision No.145/2021 [https://www.legis.md/cautare/getResults?doc\\_id=127621&lang=ro](https://www.legis.md/cautare/getResults?doc_id=127621&lang=ro)

<sup>12</sup> [https://www.legis.md/cautare/getResults?doc\\_id=130524&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=130524&lang=ro#).

<sup>13</sup> The Environmental Agency acts based on the Government Decision No. 549/2018 on the establishment, organization and functioning of the Environmental Agency:

[https://www.legis.md/cautare/getResults?doc\\_id=127927&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=127927&lang=ro#)

<sup>14</sup> [https://www.legis.md/cautare/getResults?doc\\_id=128016&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=128016&lang=ro#)

<sup>15</sup> The Inspectorate is acting based on the Government Decision No. 548/2018 on the organization and functioning of the Environmental Protection Inspectorate:

[https://www.legis.md/cautare/getResults?doc\\_id=127671&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=127671&lang=ro#)

<sup>16</sup> The Forest Agency acts based on the Government Decision No. 150/2010 for the approval of the Regulation on the organization and functioning of the "Moldsilva" Agency, the structure and the staff limit of its central apparatus: [https://www.legis.md/cautare/getResults?doc\\_id=127668&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=127668&lang=ro#)



- Water Agency "Apele Moldovei"<sup>17</sup> - The Agency is the administrative authority for water and land management of the water fund under the Ministry of Environment.
- Agency for Geology and Mineral Resources<sup>18</sup> –The Agency is the authority specialized in research, record-keeping and regulation of the use of mineral resources, with the aim of implementing the state policy in the field of geological research, rational use and protection of the subsoil, as provided for in the Subsoil Code No. 3 /2009<sup>19</sup>.
- National Agency for the Regulation of Nuclear and Radiological Activities<sup>20</sup> – The Agency carries out state policy in the field of nuclear and radiological activities and regulation in its areas of competence.
- Public Institution Unit for the Implementation of Environmental Projects<sup>21</sup>- The mission of the institution is to provide support to the Ministry of Environment and organizational structures within its sphere of competence, in order to efficiently implement financial and technical assistance projects, external and internal in the field of environmental protection and use of natural resources in accordance with the provisions of normative acts, on the implementation of the requirements of international conventions to which the Republic of Moldova is party and alignment with international standards in the field of environmental protection.
- State Hydrometeorological Service<sup>22</sup> - administrative authority, with functions of promotion and implementation of state policy in meteorological, hydrological, and related fields. The State Hydrometeorological Service carries out hydrometeorological activity, mainly: comprehensive, systemic, continuous global monitoring of hydrometeorological conditions and *climate change*; collection, processing, analysis, storage and use of information on hydrometeorological conditions and *climate change* on the territory of the country etc. The Service is obliged to prepare hydrometeorological forecasts and warnings on dangerous hydrometeorological phenomena and to communicate them publicly, as well as to prepare specialized forecasts (agro- meteorological, aeronautical, climatic).

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<sup>17</sup> Government Decision No. 882/2014 for the approval of the Regulation on the organization and functioning of the "Apele Moldovei" Agency, its structure and staff limit:

[https://www.legis.md/cautare/getResults?doc\\_id=127669&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=127669&lang=ro#)

<sup>18</sup> Government Decision No 485/2009 on the approval of the Regulation of the Agency for Geology and Mineral Resources: [https://www.legis.md/cautare/getResults?doc\\_id=127667&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=127667&lang=ro#)

<sup>19</sup> [https://www.legis.md/cautare/getResults?doc\\_id=106633&lang=ro](https://www.legis.md/cautare/getResults?doc_id=106633&lang=ro)

<sup>20</sup> Government Decision No. 458/2015 approving the Regulation on the organization and functioning of the National Agency for the Regulation of Nuclear and Radiological Activities, its structure and its staff limit: [https://www.legis.md/cautare/getResults?doc\\_id=127670&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=127670&lang=ro#)

<sup>21</sup> Government Decision No. 1249/2018 on the organization and functioning of the public institution "Unit for implementation of environmental projects": [https://www.legis.md/cautare/getResults?doc\\_id=127673&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=127673&lang=ro#)

<sup>22</sup> The State Hydrometeorological Service carries out hydrometeorological activity on the basis of the Law no. 1536/1998 on hydrometeorological activity [https://www.legis.md/cautare/getResults?doc\\_id=129377&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=129377&lang=ro#)

Whereas referring to **climate change**, the Ministry of Environment is the central public administration authority responsible for development of policy in the field of climate change and the law drafting process. It supervises and develops National Inventory Reports, the Updated Biennial Reports and the National Communications of the Republic of Moldova to the UNFCCC. The Ministry is responsible for implementation of the international treaties in the field of climate change. The ministry regularly reports to the relevant international treaties to which Moldova is a party. Cooperation with resort ministries is a crucial part of the climate change policy of the country, because of various sector-based contributions.

## **2. Is there a general environmental protection framework act, serving as a basis for other environmental legislation?**

*Law No. 1515/1993 on Environmental Protection*<sup>23</sup> is the basic legal framework in the field of environmental protection aiming at: ensuring every human being the right to a healthy and aesthetically pleasing environment; fulfilling the supreme responsibility of each generation for the protection of the environment for future generations; achieving the widest possible range of use of natural resources without exceeding permissible limits, avoiding their depletion and degradation, risk to human health and other undesirable and unforeseeable consequences; protecting of soil and subsoil, water and air from chemical, physical and biological pollution and other actions disturbing the ecological balance; preserving the biodiversity and the gene pool, the integrity of natural systems, national historical and cultural values; restoring the ecosystems and their components damaged by human activity or natural disasters.

The environmental protection is regulated by around 300 primary and secondary normative acts based on Law No.1515/1993. The list of the main legislation and policy documents is published on the official web site of the Ministry of Environment, being also available in Romanian and Russian language on the official public electronic source [www.legis.md](http://www.legis.md).<sup>24</sup>

The *Environmental Strategy for 2014-2023*<sup>25</sup> sets strategic targets of the Republic of Moldova on improving the quality of environmental factors and guaranteeing the population's right to a clean, healthy and sustainable natural environment. The Ministry of Environment has launched the process of updating the Environmental Strategy in order to ensure sustainable development of the country in line with the European Green deal and Agenda 2030.

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<sup>23</sup> [https://www.legis.md/cautare/getResults?doc\\_id=130524&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=130524&lang=ro#)

<sup>24</sup> <https://mediu.gov.md/ro/content/acte-normative-%C8%99i-documente-de-politici-din-domeniul-%C3%AEmbun%C4%83t%C4%83%C8%99Birilor-funciare-%C8%99i-fondului>

<sup>25</sup> [https://www.legis.md/cautare/getResults?doc\\_id=48131&lang=ro](https://www.legis.md/cautare/getResults?doc_id=48131&lang=ro)

**3. What are the main principles underpinning environmental legislation (e.g. do no harm, polluter payer principle, precautionary principle, etc.)?**

Any normative act shall comply with the provisions of the Constitution of the Republic of Moldova, international treaties to which the Republic of Moldova is a party, *principles and unanimously recognized norms of international law, as well as European Union legislation* assumed by the implementation of the Association Agreement (Art. 3 (par. 1), Law No. 100 /2017 on normative acts) <sup>26</sup>.

The main principles of the environmental legislation are set out in *Law No. 1515/1993* (Art. 3 „*Basic principles of environmental protection*”) as follows:

- the priority of environmental protection goals and activities in the framework of achieving the economic and social-human interests of the population for the present and the future;
- the obligation to enforce the legislation on environmental protection, compliance with standards, regulations and permissible limits on the use of natural resources and energy, on the application of chemical, physical and biological factors on environmental components, on harmful emissions and discharges, on the storage of waste from economic activities;
- the responsibility of all natural persons and legal entities for damage caused to the environment; the prevention, limitation and combating of pollution, as well as the recovery of damage caused to the environment and its components on behalf of natural persons and legal entities who have admitted (even unconsciously or negligently) the damage;
- the planning, design, location and implementation of social and economic objectives, the implementation of programmes, plans and planned activities that may have an impact on the environment of the Republic of Moldova or of other countries are allowed only with respect to the following conditions: the subject of the activities is referred in Annexes No. 1 and No. 2 of the Law No. 86/2014 on Environmental Impact Assessment<sup>27</sup> to the environmental impact assessment procedure; informing, the local public administration authorities and the initiator of the planned activity, the population living in the perimeter about the planned activities and ensuring the participatory process in the decision-making process at the design and siting stages; subject to the procedure of strategic environmental assessment of the plans and programmes with possible significant impact on the environment, including on the population's health, as determined by the competent public health authorities, as well as to the procedure of obtaining the environmental opinion in accordance with Chapter II of Law No. 11/2017 on strategic environmental assessment<sup>28</sup>;

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<sup>26</sup> [https://www.legis.md/cautare/getResults?doc\\_id=105607&lang=ro](https://www.legis.md/cautare/getResults?doc_id=105607&lang=ro).

<sup>27</sup> [https://www.legis.md/cautare/getResults?doc\\_id=21797&lang=ro](https://www.legis.md/cautare/getResults?doc_id=21797&lang=ro)

<sup>28</sup> [https://www.legis.md/cautare/getResults?doc\\_id=105551&lang=ro](https://www.legis.md/cautare/getResults?doc_id=105551&lang=ro)

- the use of soil, subsoil, water, forests for economic and social-human purposes for a fee in accordance with the legislation in force; the levying of fees and the imposition of fines for violations of legislation on environmental protection; the exclusive use of the means thus obtained for combating environmental pollution, drying up of natural resources, the development of dangerous geological processes, for the recovery of the environment and its components and the regeneration of natural resources;
- stimulating the application of resource-saving technologies by granting preferential credits and by other methods; increasing the responsibility of beneficiaries through long-term leasing of natural resources.
- raising public awareness of the need to establish effective and harmonious relations between man and his environment and to take measures to prevent danger to the biosphere and human health; encouraging initiatives promoted by public movements and groups to halt environmentally harmful activities.
- compliance with treaties and interstate and international agreements ratified by the Parliament, coordination of the legislation of the Republic of Moldova on environmental protection with the legislative principles in this field of neighboring countries, the European and world community.

**4. What are the plans as regards establishing a long-term national strategy governing protection of the environment, climate change and/or a national sustainable development strategy? Is this strategy effectively implemented? What are the obstacles to its adoption and effective implementation?**

National Environmental Strategy for the period of 2014-2023, approved by Government Decision No. 301/2014<sup>29</sup>, that is currently in force, was adopted with the purpose to create an efficient environmental governance, which will contribute to an increased quality of environmental factors and will guarantee the population right to a clean, healthy, and sustainable environment. The strategy has been monitored yearly and the annual reports on its implementation have been presented to the Government of the Republic of Moldova. The Strategy reflects 8 specific objectives, and throughout the last decades most of the indicators were achieved. Additional input is yet required in such activities as water quality, air quality, conservation of biodiversity, extension of the forest, pollution control, environmental liability, etc.

Currently, the updated version of the National Environmental Strategy 2014-2030 is being drafted, aimed at extending its term to 2023-2032<sup>30</sup> and addressing sustainable development of the country in line with the European Green Deal and Agenda 2030, as well as to fulfill Moldova's commitments under the Association Agreement.

<sup>29</sup> [https://www.legis.md/cautare/getResults?doc\\_id=48131&lang=ro](https://www.legis.md/cautare/getResults?doc_id=48131&lang=ro)

<sup>30</sup> <http://mediu.gov.md/ro/content/3709>

The updates to the Strategy shall be developed and approved by the end of 2022. The updated Environmental Strategy shall set specific targets in order to:

- develop efficient, transparent, inclusive environmental governance in order to ensure compliance with national and international environmental standards including in line with relevant EU Acquis and EU Green Deal;
- protect, restore and promote sustainable use of natural ecosystems, sustainable management of forests, halting biodiversity loss;
- improve water, soil and air quality by preventing and reducing the effects of pollution;
- secure the rational use of natural resources and promotion of the green economy;
- fulfill Moldova's commitment under Paris Agreement and reach updated National Determination Contribution (NDC) by reducing greenhouse gas emissions by -70% by 2030 compared to 1990 under the unconditional scenario and to support EU climate neutrality policy by 2050 and increasing the resilience of economic sectors to climate change;
- promote the sound management of chemicals throughout lifecycle;
- develop an efficient integrated waste management system and promote the principles of the circular economy.

In accordance with Art. 4 para. (19) of the Paris Agreement<sup>31</sup>, the Low Emission Development Strategy of the Republic of Moldova until 2030 (LEDS) and the Action Plan for its implementation were approved by the Government Decision No.1470/2016.<sup>32</sup> Currently, the Long-term Low Emissions and Development Program (LT-LEDP) is under development. In accordance with the updated National Determined Contribution (NDC2), the program will identify key actions for the following sectors: energy, industry, transport, buildings, waste, forestry, and agriculture of the national economy in order to reduce GHG emissions.

Other strategic and programing documents are going to be developed by the end of 2022: updated Programme on the Promotion of Green Economy, National waste management plan, Chemical management plan, National Climate Change Adaptation Programme and Action Plan for its implementation, Programme for the Sustainable Use of Mineral Resources, Consolidated Programme for the Sustainable Development of the Forestry.

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<sup>31</sup> <https://www.md.undp.org/content/moldova/ro/home/presscenter/pressreleases/2021/consultare-ue-pnud-leds.html>

<sup>32</sup> [https://www.legis.md/cautare/getResults?doc\\_id=129232&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=129232&lang=ro#)

## **5. How do you assess administrative capacity of your country to transpose EU environmental acquis and enforce and implement the legislation?**

The commitment to transpose and implement the EU environmental acquis has been taken by our country under the Association Agreement between the European Union and the Republic of Moldova (hereinafter – EU Association Agreement). The Government of the Republic of Moldova has been consistent in transposition of the relevant EU Acquis, international environmental and climate legislation according to the EU Association Agreement.

The development of national legislation in line with EU Acquis and EU environmental standards together with addressing Moldova's international commitments under various treaties and Agenda 2030 was extremely challenging for Moldova as for a country with an economy in transition due to limited capacities, competencies, and technologies.

The significant support of EU and other international donors via various programs has enabled the country to increase its potential (both human resources and technologies) and build the pool of competencies in fulfilling its commitments under the EU Association Agreement i.e., ensuring reforms processes, transposing and implementing relevant EU Acquis. However, there is still room for improvement mainly in the area of: capacities building in the public sector, enhancing expert competencies in specific areas, strengthening technological development to ensure achievement of the environmental and climate goals. Due to these issues Moldova has received several reasoned statements because of failure of transposing relevant EU Acquis. Nevertheless, with the support of international partners, together with their own efforts within available resources Republic of Moldova has managed to ensure progress in rectifying the failure of EU Acquis transposition.

The reforms in environmental sector started in 2021 with the re-establishment of the Ministry of Environment<sup>33</sup>, as well as the review and reform of the subordinated institutions (Environmental Agency, Environmental Protection Inspectorate, Water Agency “Apele Moldovei”, Forest Agency “Moldsilva”, Geology and Mineral Resource Agency, State Hydrometeorological Service and Public Institution Units for Implementing Environmental Projects) aimed at developing efficient, transparent, inclusive environmental governance. It is foreseen to finish institutional reforms in the environment area by the end of 2022.

The analysis of the situation in the sector revealed the need to address the significant understaffing and lack of competencies in the environmental public sector, including the necessity to strengthen capacities in policy development and implementation, enforcement and control. The shortcomings in capacities could be overcome with the support of international experts, both in fulfillment of

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<sup>33</sup> [https://www.legis.md/cautare/getResults?doc\\_id=127621&lang=ro](https://www.legis.md/cautare/getResults?doc_id=127621&lang=ro)

commitments according to the EU Association Agreement as well as building Moldova's own capacities (training of experts, sharing of the best practices).

**6. Is there a concrete action plan for the environment and climate change adaptation with short- and medium-term objectives, an indication of the availability of the budgetary and other resources, including to enhance the capacity of the relevant administrative bodies at all levels, to achieve them and a timetable? How is its implementation monitored?**

The National Environmental Strategy for the period of 2014-2023, approved by the Government Decision No. 301/2014<sup>34</sup>, that is currently in force, was adopted with the purpose *to create an efficient environmental management system, which will contribute to the increased quality of environmental factors and guarantee the population the right to a clean, healthy, and sustainable natural environment.*

The first Strategy for Adaptation to Climate Change by 2020 (SACC) and the Action Plan for its implementation<sup>35</sup>, approved by the Government Decision No. 1009/2014, identified and provided actions *aimed at advancing the climate resilience of the country's social and economic development. The key focus was given to integration of climate change adaptation issues into sectorial strategies in the areas of agriculture, water resources management, health, forestry, energy and transport.*

The Ministry of Environment has started the updating of the Environmental Strategy (2023-2032) and the National Programme for Adaptation to Climate Change until 2030 and with Action Plan<sup>36</sup>. The short- and medium-term monitoring procedure is regulated directly by the policy document. The Monitoring report is presented on a yearly basis to the State Chancellery of Moldova. The final Monitoring Report per each policy document is elaborated according to the criteria established by the Government Decision No. 836/2020 on the planning, development, approval, implementation, monitoring, and evaluation of public policy documents<sup>37</sup> at the final stage and is made public. The monitoring of the indicators, set under the documents shall be done on a regular basis (annual reporting to State Chancellery and other related stakeholders). The set of indicators includes the recommended set of the UNFCCC indicators, SDG indicators, as well incorporates available national indicators on certain sectors, thus the data is comparable and can be easily monitored and evaluated based on common criteria.

Climate Change Knowledge Management portal that is currently under development will be a "one stop shop" approach for having all information regarding the adaptation to the climate in the country. It will be managed by the State Hydrometeorological Service. The objective of this tool is to build a

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<sup>34</sup> [https://www.legis.md/cautare/getResults?doc\\_id=48131&lang=ro](https://www.legis.md/cautare/getResults?doc_id=48131&lang=ro)

<sup>35</sup> [https://www.legis.md/cautare/getResults?doc\\_id=114739&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=114739&lang=ro#)

<sup>36</sup> <https://mediu.gov.md/ro/content/anun%C8%9B-privind-ini%C8%9Biere-elabor%C4%83rii-programului-na%C8%9Bional-de-adaptare-la-schimb%C4%83rile-climatice>

<sup>37</sup> [https://www.legis.md/cautare/getResults?doc\\_id=121921&lang=ro](https://www.legis.md/cautare/getResults?doc_id=121921&lang=ro)

consistent and updated knowledge base for the decision-making on adaptation policy, planning and action and to facilitate the collection, sharing, and using of information on climate change, vulnerability and adaptation. This will build the capacities of various stakeholders (governmental, civil society, business) in this domain and serve as a knowledge repository containing deliverables of all projects and initiatives from this domain.

Due to complexity of proposed objectives and actions, the financing of the environmental protection and climate change adaptation measures is done through the state budget and is also supported through extra-budgetary sources, including the technical assistance projects, and support of the international stakeholders. At the level of state budget, the current *2022-2024 Medium Term Budget Framework* includes Environmental Protection with the estimated current expenses.

#### **Budget planning on expenditure programs (Ministry of Environment 2022-2024)**

No	Code Program/ subprogram	Title Programme/ sub-programme	Description	Year		
				2022/ approved thousand MDL	2023/estimated thousand MDL	2024/estimated thousand MDL
1	70 02	Integrated waste and chemical management	Under this sub-programme, funding is provided for the project design and construction activities of waste management infrastructure and infrastructure for the management of specific and hazardous waste streams. The sub-programme also carries out activities to raise awareness, mobilize and involve civil society in sanitation, planning, and disposal of unauthorized waste dumps.	189777,4	295403,8	297916,0
2	70 03	Control and supervision of compliance with environmental legislation	This sub-programme finances current expenditure for the exercise of state ecological control in the areas of economic activity and supervision of compliance with legislation in the field of use and protection of natural resources (including aquatic biological resources, geological activities), environmental pollution control	43243,8	43728,6	43728,6
3	70 05	Biodiversity protection and conservation	This sub-programme finances the restoration and conservation of the biodiversity characteristic of the republic's forests, and the exploitation of renewable forest resources, sized according to the area's ecological sustainability limits.	17668,9	16868,9	16968,9
4	50 10	Climate change predictions, forecasts and warnings	This sub-programme finances actions including measures to carry out meteorological, hydrological, and agrometeorological	29864,2	30671,0	30671,0



			observations and to inform decision-makers and the population about meteorological conditions and dangerous meteorological and hydrological phenomena.			
5	59 02	Regulation and control of the extraction of useful mineral resources	This sub-programme finances activities that regulate the control of the rational use and protection of the subsoil, and aims at compliance with legislation and the expansion of the mineral material base.	3045,6	3060,3	3060,3
6	59 03	Exploring the subsoil	This sub-programme finances activities including monitoring of the state of the subsoil and groundwater for the purpose of developing the raw material base and forecasting hazardous geological phenomena.	3781,0	3781,0	3781,0
7	51 08	Irrigation and drainage systems	This sub-programme finances activities for the rehabilitation and maintenance of flood protection constructions, hydro-technical constructions, and meadow lands, monitoring of construction works, installation, and operation of irrigation and drainage systems, dams, and water basins.	10422,5	10422,5	10422,5
8	70 04	Protection and management of water resources from floods and droughts	This sub-programme finances activities related to the development of monitoring the quality of environmental factors and the level of environmental pollution, as well as the development of flood protection infrastructure to ensure timely response to and prevention of natural disasters and catastrophes.	110577,9	110633,4	110633,4
9	70 08	Radiation protection and nuclear safety	This sub-programme finances regulation by forming the normative framework, licensing, and control in the nuclear, radiological, and non-proliferation fields.	2687,0	2698,9	2698,9
10	75 03	Water supply and sewerage	This sub-programme finances actions to improve the water supply and sanitation sector, sanitation systems through rehabilitation, construction and reconstruction, and extension of water and sanitation networks, in line with the Strategy for Water Supply and Sanitation (2014-2028). The sub-programme covers activities related to the rehabilitation, modernization, and construction of centralized water supply and sanitation systems in urban and rural localities.	118077,5	118077,5	118077,5
11	70 01	Policies and management in the field of	This sub-programme finances activities to ensure the implementation of	43889,5	39742,0	39742,0

		environmental protection	environmental policies in the prevention of environmental pollution, protection of atmospheric air, protection and regulation of the use of water resources, animal and plant kingdoms, aquatic biological resources, conservation of biodiversity, and waste management.			
12	70 11	Climate change mitigation and adaptation	This sub-programme finances activities to support the Republic of Moldova in the preparation of the Fifth National Communication and the Third Biennial Update Report to the Conference of the Parties to the United Nations Framework Convention on Climate Change (UNFCCC), provided through a grant from the Global Environment Facility and implemented through the United Nations Environment Programme implemented by the Climate Change Office.	6031,0	6194,0	6324,4
13	54 01	Management in the field of forestry	This sub-programme finances actions related to the development, promotion and implementation of state policy in the field of forestry and hunting.	6012,1	6025,1	6025,1
14	54 02	Arrangement, regeneration, extension and protection of the national forest fund	This sub-programme finances activities aimed at the conservation and development of the forest and hunting fund, ensuring the sustainable development and functionality of the forest with the basic objective of implementing state policy in the field of biological diversity and ensuring the security and protection of the forest and hunting fund.	23500,0	23500,0	23500
<b>TOTAL</b>				<b>608578,4</b>	<b>710807</b>	<b>713549,6</b>

Climate change adaptation process will be monitored and measured on various levels: macro- and micro. The current National Adaptation program will introduce the monitoring and evaluation framework for the macro- (national) and meso- (sectorial) levels, which will allow measuring the progress through policy implementation. Support for establishing the system and elaboration of the IT tools for the data and indicators will be provided by the running NAP2 project, thus, the capacities of the responsible national authorities will be enhanced.

**7. How is it ensured that the environmental legislation and policies are aligned with EU environmental legislation? What are the main difficulties encountered?**

Moldovan legal framework governing the particularities of the process of harmonization of EU legislation include:

- *The Law No. 100 /2017 on normative acts*<sup>38</sup>, provides for the categories and hierarchy of normative acts, the principles, and stages of lawmaking process, the stages, and rules of drafting normative acts, the basic requirements regarding the structure and content of the normative act, rules on the entry into force and repeal of the normative act, the record-keeping and systematization of normative acts, the technical procedures applicable to normative acts, as well as rules on interpretation, monitoring the implementation of provisions and review of the normative act.
- *The Government Decision No. 1171/2018 on the Regulation on harmonizing the Republic of Moldova's legislation with the European Union legislation*<sup>39</sup> establishes the organization and functioning of harmonization of the legislation with the European Union's legislation. It applies to draft legislation to harmonize national legislation with EU legislation, establishes the principles, conditions, stages, criteria, methods, and instruments of legislative harmonization, and coordinates and monitors the harmonization process at the national level.
- *Law No 112/2014 on the ratification of the Association Agreement between the Republic of Moldova of the one part and the European Union and the European Atomic Energy Community and their Member States of the other part*<sup>40</sup>.

According to the Law No. 100/2017, the harmonization of national legislation with the European Union legislation is carried out following the commitments undertaken by the Republic of Moldova based on international agreements concluded with the European Union, the legislative programs of the Parliament and the action plans of the Government.

The Government Decision No. 1171/2018 comprises the content, principles, and objectives of the Treaties on which the European Union is founded and the Treaty on European Union and the Treaty on the Functioning of the European Union; the content, principles, and objectives of the Treaty establishing the European Energy Community; the content and principles laid down in the Charter of Fundamental Rights of the European Union; regulations, directives, and decisions, as well as delegated and implementing acts issued by the institutions of the European Union as binding acts and other legal acts adopted by the institutions of the European Union, such as opinions, recommendations, resolutions, declarations; the case-law

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<sup>38</sup> [https://www.legis.md/cautare/getResults?doc\\_id=105607&lang=ro](https://www.legis.md/cautare/getResults?doc_id=105607&lang=ro)

<sup>39</sup> [https://www.legis.md/cautare/getResults?doc\\_id=109962&lang=ro](https://www.legis.md/cautare/getResults?doc_id=109962&lang=ro)

<sup>40</sup> [https://www.legis.md/cautare/getResults?doc\\_id=83489&lang=ro](https://www.legis.md/cautare/getResults?doc_id=83489&lang=ro)

of the Court of Justice of the European Union; International agreements concluded by the European Union.

In the process of harmonizing the legislation of the Republic of Moldova with the legislation of the European Union, according to Government Decision No. 1171/2018 the following principles shall be observed <sup>41</sup>:

- Progressive harmonisation shall be achieved through the gradual harmonisation of national legislation with the legislation of the European Union, in accordance with the harmonisation obligations and deadlines laid down in bilateral agreements with the European Union.
- Dynamic harmonisation shall reflect and take into account the evolution of European Union legislation in the work of progressive harmonisation.
- The irreversibility of the legislative harmonisation process shall be ensured by maintaining the level of harmonisation achieved and by discouraging the introduction of rules which contravene European Union legislation.

In the process of approximation of the national environmental legislation to EU environmental legislation the Ministry of Environment is taking several steps:

The **first step** in the - is the analysis and comparison of EU and existing national environmental legislation to determine the existing state of conformity and the appropriate national response to the EU legislation, the responsible Division of the Ministry of Environment is conducting the analytical study. The study including the evaluation of the national laws, institutions, and procedures with the requirements of a directive in tabular form, with each article or requirement of the national legislation set out in comparison to the reference of the relevant article of the directive. Such tabular form is used later on filled in the table of concordance. The table of concordance is submitted to the State Chancellery for inclusion in the database of harmonized national legislation and to the Ministry of Foreign Affairs and European Integration for submission to the European Union for the assessment exercise.

Based on the initiative launched by the Ministry of Environment, the Working Group of specialists from different institutions, including research, civil society, and business is created (**second step**). After a round of consultation of the conducted study, the process of drafting a normative act starts (**third step**). To the greatest possible extent, national legal measures aimed at approximating EU legislation are integrating the national environmental priorities and principles in a manner that fully reinforces the principles, objectives, and requirements of EU law. The authors are looking into the existing Member State legislation to identify the different types of solutions to approximation issues, and the most appropriate and feasible solution for the Republic of Moldova is transposed to its own unique legal,

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<sup>41</sup> [HG1171/2018 \(legis.md\)](#)

economic, and political circumstances. The Ministry of Environment is very careful that the language of national lawfully reflects the directive in order to avoid problems of non-conformity. However, the transposition is conducted by accompanying legal and administrative measures for ensuring effective implementation and enforcement of the directive.

In the Republic of Moldova, where powers to regulate the environment are devolved entirely to the Ministry of Environment, are elaborated environmental laws separately on each field of activity. However, due to the big number of environmental primarily and secondary legislation on the environment, is discussed the necessity of environmental codification and the transposed EU directives will be contained in the Environment Code, which will aim at harmonizing existing environmental legislation by assembling it in one legislative framework.

The **fourth step** is the consultations with relevant stakeholders (especially with environmental NGOS, environmental scientists and companies that could be affected by the new regulation) and the endorsement with state authorities.

The Ministry of Environment is considering the institutional needs, the financing of administration and enforcement, and investments capacities in the process of transposing the EU directives. The costs-benefits analyze of different implementation choices is conducted and taken in consideration in the process of drafting. The evaluation of the financing needs for administration and for investment, in order to improve environmental quality, is carried out, and methods need are identified whereby the needed financing can be obtained (**the fifth step**).

At the endorsement stage the compatibility expertise with EU legislation is carried out in the manner established by the Government and according to the methodology approved by the Centre for Harmonisation of Legislation. Based on the results of the compatibility expertise, the Centre for Harmonisation of Legislation draws up the declaration of compatibility.

*What are the main difficulties encountered?*

The main difficulties encompass:

- Defining the limits of competencies and functions of all stakeholders involved, since any form of organization requires at least a minimum of hierarchy as well.
- Coordinating the activities of all the players in a decentralised landscape
- Specifically qualified personnel within public authorities: legal drafting requires high competences among ministry staff, full-sized inter-ministerial cooperation, advice from EU experts on better ways on law development and enforcement and allocation of funds for its further implementation at practice by the parties concerned.

- The public consultation and information campaigns, as part of the law drafting process transparency, is ensured through the online and offline consultations with different stakeholders (civil society, business society, scientific society and general public).
- Consultations with private business. Additional tool for ensuring transparency is the creation of the Working Group from representatives of different state, private, research and NGO societies. Some draft legislation undertakes serious discussions and meets opponents from the business sector, since it requires investments into the production sector, promotion of BAT and BEP, ISO standards and laboratory capacities, and due to economic decline of the country are difficult to achieve. Yet, the use of the Regulatory Impact Assessment commission recommendations and constant communication with the various sectors in many cases allows for such legislation to be adopted and gradually implemented.
- For years the most critical obstacles, that were identified during the evaluation of the capacity of the institutions are: the lack of political support for environmental goals, the ineffectiveness of environmental institutions (in particular with regard to implementation and enforcement), the inability of governments to mobilize financing even for clearly established environmental priorities, the still weak environmental policy integration, and the failure to establish and use monitoring to measure progress and set new targets.

Therefore, based on the above, the Ministry of Environment started the institutional reform of entire environmental institutions, increasing the development capacities of the staff, evaluating the potential risks, conducting campaigns for strengthening political support for resolving persistent environmental problems, increasingly involving civil society as a partner, and using international environmental commitments as leverage.

**8. How are the responsibilities shared for the various sectors (water, waste, nature protection, etc.) shared at central and local administration level and how is coordination envisaged? How is the cooperation between the relevant ministries envisaged?**

The work of public entities in the environmental sector is regulated by at least 30 basic codes and laws governing both environmental protection activities in general and specific environmental factors, such as air, water, forests and biodiversity, subsoil, waste and chemicals, nuclear and radiological activities, or certain environmental procedures such as strategic environmental assessment and environmental impact assessment.

***The Ministry of Environment***

The Ministry of Environment is the central specialized body of Public Administration. According to the Regulation on the organization and functioning

of the Ministry of Environment<sup>42</sup>, it is responsible of elaborating public policies, normative acts and public policy documents, has functions of endorsing draft normative acts submitted by other authorities, functions of coordinating the activity of subordinate institutions and coordinating the process of international cooperation in the field of Environment.

The Ministry of Environment has the mission to analyze the situation and problems in the fields of the managed activity, to develop effective public policies in the fields of (i) environmental protection; (ii) climate change; (iii) sustainable management of natural resources; to monitor the quality of policies and normative acts and to propose justified state interventions in order to provide effective solutions in the fields of competence, ensuring the best ratio between the expected results and the expected costs.

The Ministry of Environment has in its subordination *8 administrative authorities*, which have to ensure the performance of the full spectrum of functions necessary for the efficient and effective implementation of public policies in the areas managed by the Ministry:

- The Environment Agency;
- Environmental Protection Inspectorate;
- Forest Agency “Moldsilva”;
- Water Agency “Apele Moldovei”;
- Agency for Geology and Mineral Resources;
- National Agency for the Regulation of Nuclear and Radiological Activities;
- The State Hydrometeorological Service.
- The Public Institution “the Units for implementation the environmental projects”

**Environment Agency** – is the body issuing environmental permits. The mission of the Environment Agency is to ensure the implementation of the environmental protection policy in accordance with the commitments undertaken in the EU Association Agreement - especially in areas that are not managed by other institutions under the Ministry of Environment, such as: waste management, atmospheric air protection and climate change, biodiversity conservation, environmental pollution prevention (environmental impact assessment, strategic environmental assessment), etc. The Environment Agency operates on the basis of the Regulation approved by Government Decision No. 549/2018.<sup>43</sup> Its areas of competence are: Prevention of environmental pollution; Protection of atmospheric air and climate change; Protection and regulation of the use of water resources; Protection and regulation of the use of animal and plant kingdoms, aquatic

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<sup>42</sup> [https://www.legis.md/cautare/getResults?doc\\_id=127621&lang=ro](https://www.legis.md/cautare/getResults?doc_id=127621&lang=ro)

<sup>43</sup> [https://www.legis.md/cautare/getResults?doc\\_id=119162&lang=ro](https://www.legis.md/cautare/getResults?doc_id=119162&lang=ro)

biological resources; Biodiversity conservation and management of state protected natural areas; Waste management; Biosecurity.

The Environmental Agency is the host of the Reference laboratory, with laboratory activities in the field of air quality, water quality, soil, waste, environmental radioactivity, and Ecological Investigation Service.

As was mentioned the Ministry of Environment is in the process of conducting the institutional reform, based on the independent Assessment realized from the December 2021-March 2022. It is proposed that the capacity of Environmental Agency will be consolidated on three components:

- *ensuring the environmental assessment* (all three categories: Environmental Impact Assessment (EIA), Strategic Environmental Assessment (SEA) and Ecological Expertise (EE));
- *issuing environmental permits* for the entrepreneurial activities with an impact on the environment (authorizations, environmental agreements, permits, certificates, notifications, opinions and coordination) and also for the sustainable use of natural resources (collection of forest products etc);
- *ensuring the elaboration of the environmental reports* at the national and international level.

The **Environmental Protection Inspectorate** exercises the exclusive control function in all environmental areas. *The mission* of the Inspectorate is to implement the state policy in the field of environmental protection and rational use of natural resources, exercise state control and supervision, prevent and counteract violations to ensure a high level of supervision and protection of the environment, public interests, ecological safety of the state and other values protected by legislation. The Environmental Protection Inspectorate operates on the basis of the Regulation approved by Government Decision No. 548/2018.<sup>44</sup> Its areas of competence are: Implementation of environmental policy; Protection of atmospheric air; Protection of aquatic resources; Protection of flora, fauna and protected natural areas; Protection of soil and subsoil; Management of waste and chemicals; Rational use of natural resources.

**The Water Agency "Apele Moldovei"** is the administrative authority responsible for water and land management of the water fund under the Ministry of Environment. *The mission* is to implement the state policy in the field of water management and water supply and sewerage. Areas of competence are: Water supply and sewerage; Management of water resources and water fund lands; Hydro-improvement/irrigation.

The Water Agency is now under reorganization, the draft Governmental Decision on modification of the Regulation on organization and functionality of the

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<sup>44</sup> [https://www.legis.md/cautare/getResults?doc\\_id=119163&lang=ro](https://www.legis.md/cautare/getResults?doc_id=119163&lang=ro)



Agency<sup>45</sup> is in the endorsement process and is expected till end of May 2022 to be approved. Based on the new provisions, the Water Agency will be responsible for integrated water management based on the country division on the hydrological districts Dniester and second district Danube-Prut and Black Sea. Other responsibilities will be in the field of managing the risks of floods. The responsibilities on “Water supply and sewerage” will be transferred to the Ministry of Infrastructure and Regional Development and the tasks on “Hydro-improvement/irrigation” will be transferred to the Ministry of Agriculture and Food Industry. Both such transfers of competences are explained with the reasons that such activities are not part of the water resource management but are relevant only to the specific infrastructure.

**The Forest Agency “Moldsilva”** is the central administrative authority in the field of forestry and hunting, which exercises its functions in the context of promoting state policy in this field by carrying out extension, regeneration and conservation works, ecological reconstruction, rational use of forest resources, guard, protection and development of the national forest and hunting fund. *The mission* is to implement the policy promoted by the central environmental body of the public administration in the fields of forestry and hunting, with the aim of sustainable development of the forestry and hunting sector in the forest fund, ensuring the protection and security of forests and wildlife, maintaining and preserving the biodiversity of the Republic of Moldova. The Forest Agency “Moldsilva” operates on the basis of the Regulation approved by Government Decision No. 150/2010.<sup>46</sup> Areas of competence are: Forest management; Forest regeneration and expansion; Forest health assessment; Wood harvesting and processing; Compliance with licensing requirements according to the area of competence.

The Forest Agency also is under reorganization and as result are expected that Natural Protected Areas will be managed by a separate institution that will have the responsibility in nature conservation and preservation, and the dedicated budget and staff for protected areas will be designated.

Another important modification will be the fact that the State Enterprises that manage forest in the Republic of Moldova based on self-management will be reduced as a number and also will have division of the tasks in forest guarding and forest production. The reorganization of the Agency will be organized in two phases: the first one will be of the headquarter and the second phase will be dedicated to reorganization of the State Enterprises.

**The Agency for Geology and Mineral Resources** is the central administrative authority subordinated to the Ministry of Environment, specialized in research, registration and regulation of the use of mineral resources, aiming to implement the state policy in the field of geological research, rational use and protection of

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<sup>45</sup> <https://particip.gov.md/ro/document/stages/anunt-privind-initierea-modificarii-hotaririi-guvernului-nr-8822014-pentru-aprobarea-regulamentului-privind-organizarea-si-functionarea-agentiei-apele-moldovei-structurii-si-efectivului-limita-ale-acesteia/8807>

<sup>46</sup> [https://www.legis.md/cautare/getResults?doc\\_id=127668&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=127668&lang=ro#)

the subsoil, according to the provisions of the Subsoil Code No. 3/ 2009<sup>47</sup>. The Agency for Geology and Mineral Resources operates on the basis of the Regulation approved by Government Decision No. 485/2009.<sup>48</sup> Areas of competence are: Geological research; Subsurface protection; Evidence of subsoil resource use. The reorganization of the Agency is focused on the consolidation of the capacity and clear division of the roles between the Ministry of Environment and Agency.

**The National Regulatory Agency for Nuclear and Radiological activities** carry out state policy in the field of nuclear and radiological activities and regulates in its areas of competence. The National Regulatory Agency for Nuclear and Radiological operates on the basis of the Regulation approved by Government Decision No. 458/2015<sup>49</sup>. Areas of competence are: Nuclear activity. Radiological activity.

The Agency is under reorganization and as result the chemical management will be supplied as an additional task. The draft of the Government Decision is expected to be approved till the end of May 2022<sup>50</sup>.

The **State Hydrometeorological Service** is an administrative authority subordinated to the Ministry of Environment with functions of promotion and implementation of the state policy in meteorological, hydrological and related fields. Areas of competence are: Hydrometeorology; Environmental quality monitoring.

Cooperation relations are established both between the departments of the Ministry's organisational structure located on the same hierarchical level or between them and the corresponding departments within the units subordinated to the Ministry of the Environment, under its coordination or authority, and between the departments of the Ministry's organisational structure and similar departments of other central or local government structures, NGOs, etc. in the country or abroad. These external cooperation relations are established only within the limits of the department's remit, the mandate granted by the ministry's management or regulated by normative acts.

Apart of the above, the Ministry of Environment closely cooperates with the Ministry of Agriculture and Food Industry, as well as with the Ministry of Infrastructure and Regional Development in realizing the environmental protection, mainly via common projects, law drafting consultation projects and coordination of activities that might have any interference with the environment and/or competences of the ministries attributions.

In 2020 the Government of the Republic of Moldova approved the Decision No. 444/2020 on the establishment of the coordination mechanism of activities in the

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<sup>47</sup> [https://www.legis.md/cautare/getResults?doc\\_id=106633&lang=ro](https://www.legis.md/cautare/getResults?doc_id=106633&lang=ro)

<sup>48</sup> [https://www.legis.md/cautare/getResults?doc\\_id=127667&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=127667&lang=ro#)

<sup>49</sup> [https://www.legis.md/cautare/getResults?doc\\_id=127670&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=127670&lang=ro#)

<sup>50</sup> [https://cancelaria.gov.md/sites/default/files/document/attachments/proiectul\\_648\\_0.pdf](https://cancelaria.gov.md/sites/default/files/document/attachments/proiectul_648_0.pdf)

field of climate change.<sup>51</sup> This Regulation establishes the legal status, organization and functioning of the National Commission on Climate Change (hereinafter - the National Commission). The National Commission is an interinstitutional body without legal personality, established for the purpose of coordinating and promoting the measures and actions necessary for the uniform application in the territory of the Republic of Moldova of the provisions of the United Nations Framework Convention on Climate Change (hereinafter - UNFCCC) and the Paris Agreement. The National Commission provides the institutional coordination framework for monitoring, reporting and verification, as well as facilitating the integration of climate change issues into national and sectoral programs and plans. The National Commission consists of 17 members: 10 representatives of central and local public administration authorities and 7 representatives of educational and scientific institutions of non-governmental organizations and the private sector. The National Commission is coordinated by Prime Minister and member of this Commission are the Ministries.

The National Commission has the following attributions:

- promotes and coordinates the instruments for implementing climate change policy in the Republic of Moldova;
- coordinates the integration of climate change mitigation and adaptation issues into national and sectoral policy documents;
- examines and approves the reports on the implementation of climate change strategies;
- examines and endorses the methodologies, operational manuals, guidelines and eligibility criteria of projects on adaptation to climate change and mitigation of climate change;
- monitors the implementation of projects and programs in the field of climate change at national and sectoral level in the context of sustainable development of the country;
- monitors the implementation of national and sectoral climate change adaptation plans;
- examines projects and programs in the field of climate change and recommends their financing by development partners and international funds in the field, in accordance with national and sectoral priorities for sustainable development;
- facilitates the process of international collaboration in the field of climate change;
- coordinates the reports related to the implementation of the provisions of the international treaties in the field of reference to which the Republic of Moldova is a party;

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<sup>51</sup> [https://www.legis.md/cautare/getResults?doc\\_id=122314&lang=ro](https://www.legis.md/cautare/getResults?doc_id=122314&lang=ro)

- creates technical committees of experts, which assist the National Commission in the exercise of its attributions, within the limits of its competence;
- elaborates, in order to prevent and overcome the negative effects related to climate change, proposals and recommendations to be included in the strategies and programs in the respective field;
- evaluates the results of the implementation of the recommendations of the National Commission and submits proposals for the improvement of government policies in the field of climate change in accordance with the commitments undertaken in the Association Agreement between the Republic of Moldova and the European Union;
- informs the public about the activity of the National Commission.

At this moment the activities / attributions / competences of the National Commission will be evaluated, and the relevant modifications will be provided for ensuring the functionality and effectiveness of the National Commission. The modification is expected to be provided till end of 2022.

### **The local administrative authorities:**

According to the Art.9 of the Law No.1515/1993 on environmental protection<sup>52</sup>, the public administration authorities of the district, municipality jointly with the local authorities for environment and health have the following tasks: ensure compliance with environmental protection legislation; approve by agreement with the Department the limits of use of natural resources, except for the limits of use of resources of national importance, limits of harmful emissions and discharges into the environment, except those that exceed the territory of the district, municipality, limits of noise pollution; limits of storage of production and household waste; supervises and coordinates the activity of city halls and prices in the field of storage and processing of production and household waste, construction and operation of wastewater treatment plants, installation of equipment and deposits for the retention and neutralization of noxas, prevention and control of land drifts, erosion, salinization, compaction and pollution of soils with mineral fertilizers and pesticides, rational use of Meadows, land distribution to ensure the necessary, creation of protective forest curtains and green spaces; organizes the development and implementation of district, municipal ecological programs, ensures the carrying out of ecological reconstruction works and restoration of ecological balance in the affected areas through anthropogenic activity; declares as protected areas natural monuments of ecological and landscaping interest district, municipal; ensures systematic and operative information of the population, enterprises, institutions, organizations on the state of the environment in the district, municipality; contributes to the training and awareness of the population in the issues of Environmental Protection and rational use of Natural Resources.

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<sup>52</sup> [https://www.legis.md/cautare/getResults?doc\\_id=130524&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=130524&lang=ro#)

Art.10 of the Law No.1515/1993 provides that the public administration authorities of the Commune (Village), the city jointly with the local authorities for the environment and for health have the following tasks: ensure the preservation of a healthy environment and the rational use of Natural Resources, exercise a permanent control over compliance with the legislation on Environmental Protection; approve annually with the environmental authorities the limits of use of natural resources, except for the limits of use of resources of district importance; limits of harmful emissions and discharges into the environment, except those that exceed the territory of the Commune( Village), City; Limits of noise pollution; limits of storage of production and household waste; establish perimeters for the storage of production and household waste, of the mollusk resulting from construction, scrap metal, organize their inactivation and use, establish places for animal cemeteries, for the accumulation, processing, use and neutralization of residues that cannot be processed; ensure the construction and operation of treatment plants in accordance with established standards for waste water, supervise equipment and devices for waste water pre-treatment, noxious retention; organize the restoration of landscapes and the reconstruction of areas deeply affected by landscape and ecological balance such as: surface mining fields, ash dumps, phosphoghips, deposits of industrial sludge at the expense of the economic agents that caused the damage; re-establish and maintain the scientifically reasoned relationship within the area between arable, grazing lands, forests and waters in order to preserve the natural balance in ecosystems, delimit grazing lands, taking into account their load with animals, production potential and soil and vegetation protection requirements; ensures the implementation of measures to prevent and combat landslides, erosions, salinization, compaction and soil pollution with mineral fertilizers and pesticides; distribution of land for new objectives, Multiannual plantations, massive irrigation that are allowed only under the authorization of the Geological Service; allocate land to ensure the necessary degree of afforestation, especially in areas with a shortage of forests, organize afforestation of impassable agricultural lands, planting and maintenance of protective forest curtains, alignments of trees and shrubs, green spaces, parks and living gardens; grant priorities and facilities to enterprises that carry out non-polluting economic activities and closed-circuit production systems, stops planning, construction and works for which the authorization of the environmental authorities has been obtained; contribute, together with the beneficiary, to the organization and performance of the public ecological expertise of the project documentation for objects that imply changes in the environment or of some of its components; provides support to the initiator of the planned activity in organizing the process of informing the public and public debates on the documentation regarding the environmental impact assessment of the planned objects or activities; ensures the performance of the strategic environmental assessment of the plans, programs that are approved by the local public administration authorities, in accordance with Law No. 11/2017 on strategic environmental assessment.

## **Cooperation between environmental authorities at central and local administration in the process of issuing of the environmental permits.**

The environmental authorities issuing permissive acts coordinate the procedure for issuing environmental permits through the information system (one-stop shop), regulated by Government Decision No. 894/2013<sup>53</sup>. This system consists in providing the participants in the process of issuing the environmental permit with an IT mechanism that automates their activity in order to implement the provisions of the legal framework in the field of Environmental Protection. Consequently, among the major objectives of the IT solution for the functionality of the common platform, could be mention in particular the design and implementation of modern technologies for interaction between applicants for environmental authorization, applicants for public information and actors participating in the environmental authorization process (Ministry of Environment, Environment Agency, Water Agency "Apele Moldovei", Agency for Geology and Mineral Resources, National Agency for Public Health, General Inspectorate for Emergency Situations, National Agency for Food Safety, Water-Canal enterprises, waste users enterprises, etc.) and also ensuring the possibility of working in the network, for the efficient exploitation of common resources by implementing a multilevel client-server architecture.

### **9. Are there any mechanisms to provide for the integration of environmental protection requirements into other policies, in particular into agriculture, industrial, energy and transport policies with a view to promoting sustainable development, as outlined in Article 11 of the Treaty on the Functioning of the European Union?**

The objective of integration of the principles of Environmental Protection, sustainable development and green economic development, adaptation to climate change in all sectors of the national economy is stipulated in the National environmental strategy for 2014 – 2023.<sup>54</sup> The action plan on the implementation of the environmental strategy for 2014-2023 provides a series of measures necessary to be taken by the Government of the Republic of Moldova in order to achieve the objectives stipulated by the strategy.

The promotion of green economic development on a national scale will be achieved by integrating the principles of green economy, environmental protection and adaptation to climate change into sectoral policy documents: energy, agriculture, industry, transport, construction, trade, services and other areas of socio-economic development of the country. This process involves the modification of sustainable production and consumption models, and the change can be made with the help of regulations, taxation, legal decisions, requests from the public, etc. with regard to sustainable production and consumption.

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<sup>53</sup> [https://www.legis.md/cautare/getResults?doc\\_id=121894&lang=ro](https://www.legis.md/cautare/getResults?doc_id=121894&lang=ro)

<sup>54</sup> <http://green.gov.md/pageview.php?l=ro&idc=41&t=/Cadrul-normativ-si-de-politici/Strategia-de-mediu>

Integrating environmental issues, climate change adaptation into sectoral development policies and sustainable practices to be implemented at national and local level are essential to reduce the pressures of policies and activities in other sectors on the environment and to meet the following environmental and climate objectives.

*Integration of environmental protection requirements into agriculture policy*

Following the National environmental strategy for 2014 – 2023 the integration of environmental protection requirements into agriculture policy will contribute to reducing risks to environmental degradation and improving the sustainability of agricultural ecosystems. In order to increase the share of organic agriculture, at the national level are undertaken the following measures:

- promoting the efficient production, processing and deployment of organic agri-food products in a way that increases the income and well-being of farmers;
- encouraging the improvement of the processing and marketing of primary agricultural products by supporting investments (providing support for agricultural practices protecting the environment, delivering products useful to society and respecting and promoting the efficient use of natural resources; promoting the processing of agricultural products for renewable energy, developing new technologies and introducing innovations, implementing compensations for landowners in natural areas protected by the state);
- carrying out training and awareness programs for farmers in the ecological field and creating the necessary training and schooling infrastructure, in order to further promote the sustainable agriculture system;
- development of agricultural techniques and infrastructure "friendly" to the environment (creation of the mechanism for periodic verification of water quality used for irrigation; conducting agrochemical and pedological research for permanent monitoring of soil quality; ensuring integrated protection of plants against pests, diseases and pathogens; promoting the implementation of production techniques provided by Conservative agriculture; determining the practice of extensive agriculture, ensuring the preservation; development of waste management mechanisms in agriculture, especially those from animal husbandry);
- implementation of adaptation measures to climate change, aimed at promoting agricultural crops that have the potential to succeed in the changed climate conditions (drought, high temperatures), applying measures to adapt plants to future climatic conditions, soil treatments, water conservation and mitigation of soil moisture losses through evaporation;
- applying the concept of resource efficiency and purer production within enterprises and organizations;

- promoting eco-innovations that can prevent or reduce the negative effect of products or activities on the environment and contribute to the creation of new business opportunities.

### *Integration of environmental protection requirements into energy policy*

Improving energy efficiency, increasing the use of renewable energy sources, and promoting sustainable development of the energy areas are among the priority objectives of the Energy Strategy of the Republic of Moldova until 2030 (approved by Government Decision no. 102/2013)<sup>55</sup> with two chronological stages of implementation: 2013-2020 and 2021-2030.

Promotion of energy efficiency and renewable sources is seen as an urgent priority of the energy sector, therefore, the annual Moldova Eco Energetica event is organized as an umbrella concept. The campaign finalizes with an award event of the best implemented projects, technologies and ideas in the area of Energy Efficiency and Renewable Energy Sources.

The integration of environmental principles into the country's energy policy is carried out in order to strengthen the sustainable efforts of national and local authorities, to involve the private sector and to ensure the active participation of civil society in the regulation, the creation of the institutional framework and the financial mechanism for energy saving.

A significant impact on the modernization and promotion of the national economy's sustainable development will have the priority measures provided by the Law on Energy Efficiency No. 139/2018, which encourages the exploitation of the energy efficiency potential in the industrial sector at the national level. The Law No. 10/2016 on Promoting the Use of Energy from Renewable Sources and the draft National Action Plan in the field of Energy Efficiency for the years 2019-2024, is the legal base for promoting the use of energy from renewable sources, diversification of primary energy resources, and ensuring the safety, occupational safety and health in the process of producing energy from renewable sources.

Thus, the energy efficiency will be ensured by reducing the energy intensity in the residential, industrial, transport and agricultural sectors; modernization of the energy system; implementation of efficient energy technologies; introduction in the balance of consumption of own energy resources, including renewable ones. Major importance will be given to raising public awareness of the need to save energy. The energy savings thus obtained will have a favorable effect on the environment.

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<sup>55</sup> [https://www.legis.md/cautare/getResults?doc\\_id=68103&lang=ro](https://www.legis.md/cautare/getResults?doc_id=68103&lang=ro)



### *Integration of environmental protection requirements into transport policy*

The integration of environmental provisions into transport policy aims to protect the environment by promoting actions that will reduce noise and carbon dioxide emissions, which will favor the use of alternative fuels and new technologies in all forms of transport. So that the directions of action are focused on:

- promoting the transition from a transport that pollutes to one that pollutes less, uses renewable energy and protects the environment;
- promoting European standards for vehicles in order to align with EU requirements and standards;
- adaptation of road construction conditions to climatic conditions, application of biodiversity protection requirements and environmental impact assessment in the road construction process;
- assessment of the economic and ecological potential for the diversity of the transport system (car, rail, air, naval);
- elaboration of the mechanism for stimulating and promoting the renewal of the national car park.

### *Integration of environmental protection requirements into industrial sector*

Environmental priorities in the industrial sector will be integrated through:

- introduction of the integrated emission and pollution control system;
- introduction of the system of voluntary participation of organizations in an environmental management and audit System; Assessment of environmental risks in the process of carrying out activities; development of mechanisms for ecological insurance of industrial units, etc.;
- promoting the transition to the system of best available techniques;
- investing to modernize techniques and management, to streamline the consumption of Natural Resources (Water, Energy, Mineral Resources) and emission reduction techniques, and new installations are to be compliant with these requirements;
- development of the quality management system; development of legal mechanisms; implementation and continuous improvement of the integrated management system, in accordance with ISO 9001, ISO 14000 standards;
- development and promotion of measures for risk prevention and monitoring of environmental factors in the area of location of industrial units; compliance measures related to the greening of polluted lands in industrial lands;
- creation of incentive mechanisms for modernization and retrofitting of pre-treatment/wastewater treatment facilities/stations, for equipping with efficient equipment for the retention of specific pollutants from wastewater and air emissions; of measures to minimize the production of

industrial waste, for the realization of specific temporary storage facilities (safe for the environment and health of the population) in order to eliminate / fully capitalize the hazardous waste generated.

*Tools used for insuring the integration of environmental protection requirements into other policies*

#### National Climate Change Commission (NCCC)

The National Climate Change Commission (NCCC) will chair the Climate Change Coordination Mechanism (CCCM) in cross-sectorial coordination of all climate-related components: adaptation, GHG emissions and mitigation and is to be operationalized through a dedicated Government Decision. The purpose of the multistakeholder CCCM is to foster the dialogue, coordination, collaboration and coherence among sectors, leverage and oversight the reporting on climate change planning and actions by all stakeholders. The established multi-stakeholder partnership is foreseen to contribute to a common understanding in climate planning, improved rationality, and effectiveness of policymaking, to facilitate the implementation of climate action, and to have contribution to the sustainability of climate governance. Cross-sectorial coordination will enhance also the transparency in the implementation of prioritized adaptation measures. The NCCC is seen as a permanent formalized body with the highest representation of key stakeholders: sectorial ministries, NGOs, academia, research, private sector, taking into consideration gender dimension through including representatives of women's associations and considering gender equality and social inclusion in all supervising activities of NCCC. Such organizational structure of NCCC comprises actors of horizontal, inter-sectorial planning and of vertical integration, with the representation of bellow sectorial/ national level, thus ensuring a multi-level framework with interactions between government and civil society representatives. The NCCC will have a Secretariat as a technical executive body. At the sector level, the NCCC is supported by the sectorial administration in charge of the development of sector-specific climate change enabling environment and reporting on climate action, establishing working groups or nominate focal points. Technical Committees on specific thematic areas will be established ad-hoc when the need for advanced thematic expertise will be required, in particular during the consideration of donor project proposals. Such needs will be met by the recruitment of mitigation or adaptation experts. The Commission will coordinate also previously initiated actions, which have not been completed under the Kyoto Protocol. Through the proposed structure of the CCCM, the Republic of Moldova overcomes the issue of limited integration and connectivity between levels, which is an impediment to the effective decision-making process in adaptation and mitigation.

## National Adaptation Planning - 2

The Republic of Moldova's climate change adaptation vision incorporates the concept of integrating climate adaptation into medium- and long-term development planning to foster adaptation action, enhancing climate risks into investment decision-making and business planning with the aim of increasing the resilience of economic sectors, land use and ecosystems and accelerating country's transition towards low carbon and resilient development.

A further advance in medium- and long-term adaptation planning in a coherent and strategic manner is seen through an iterative socially inclusive and gender-sensitive National Adaptation Planning (NAP) process. The National Adaptation Planning (NAP) process is seen as a practical approach to vertical and horizontal decision-making, which also facilitates the integration of top-down assessments of climatic risks with bottom-up planning of adaptation needs, options and priorities. The National Adaptation Planning process is key to achieving the adaptation objectives outlined in its 2014 Climate Change Adaptation Strategy of the Republic of Moldova, and its 2020 Nationally Determined Contributions (NDC), as well as the continued mainstreaming of climate change considerations into its policies and budgeting processes. The outcomes of the NAP-2 national adaptation planning processes are:

- Outcome 1: To strengthen and operationalize the national steering mechanism for climate change adaptation (CCA).
- Outcome 2: To improve the long-term capacity on planning and implementation of adaptation actions through CCA technologies.
- Outcome 3: To improve the mainstreaming of climate change adaptation through the increased alignment of national development priorities, in five priority sectors (forestry, health, energy, water and transport).

The NAP2 will contribute to the National Development Strategy "Moldova 2030" through ensuring resilience to climate change by reducing risks related to climate change and by facilitating adaptation in six priority sectors - agriculture, water resources, health, forestry, energy and transport.

## Strategic environmental assessment

Strategic Environmental Assessment (hereafter - SEA) mechanism is applied in order to ensure that the environmental and population health effects of certain plans and programmes are identified and assessed during their preparation and before their approval. In this way, SEA enables the identification and prevention of potential environmental effects at the decision-making stage and ensures that environmental objectives are taken into account in the implementation of subsequent projects. The Strategic Environmental Assessment procedure takes place much earlier in the decision-making process than the Environmental Impact

Assessment and is therefore a key tool for sustainable development and environmental security.

### Eco-labelling

One of the economic tools that will help improve environmental management is the introduction of the ecolabel. The creation and regulation of a national ecolabel system, corresponding to the European one, namely the ecolabel Type I – EN ISO 14024, is necessary and is proposed to be achieved by transposing Regulation No. 66/2010 / EU of the European Parliament and the Council of the EU of 25 November 2009 on the European Union ecolabel. The Republic of Moldova in 2022, has initiated the legislative procedure for the elaboration of the draft Government Decision for the approval of the Ecolabel Regulation.<sup>56</sup> This normative initiative is determined, in particular, by the need to establish an ecolabel system for goods and services, establishing the requirements for the award and application of the ecolabel in the Republic of Moldova. Therefore, by creating an ecolabel mechanism at national level, there will be an increase in technical progress and development of sustainable goods and services that reduce the negative impact of consumption on the environment, health, climate and natural resources of the Republic of Moldova.

### National Determined Contribution-2

Moldova updated and submitted its NDC2 under the Paris Agreement to the UNFCCC Secretariat as the fourth country in the world on 4 March 2020. The country increased the ambition level and committed to unconditionally reduce its GHG emissions by 70% below its 1990 level in 2030, and by up to 88% when receiving technical, financial and technological support. Republic of Moldova is currently developing its third Biennial Update Report and updating its National Inventory Report.

## **10. Which international agreements/treaties/conventions concerning environmental protection have been signed and which ones have been ratified by Moldova?**

The Republic of Moldova has ensured transparency in the field of international cooperation, thus being signed around 60 Agreements by now<sup>57</sup>.

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<sup>56</sup> <https://mediu.gov.md/ro/content/anun%C8%9B-privind-ini%C8%9Bierea-elabor%C4%83rii-proiectului-regulamentului-privind-etichetarea-ecologic%C4%83>

<sup>57</sup> <https://mediu.gov.md/sites/default/files/Acordurilor%20bilaterale%20%C8%99i%20conven%C8%9Biilor%20de%20mediu%20.pdf>

International treaties/conventions concerning environmental protection have been signed by Moldova:		
	National normative act	International convention/treaty
1	By Parliament Decision No. 1546/1993 <sup>58</sup>	<ul style="list-style-type: none"> <li>World Charter for Nature (New York, 28 October 1982)</li> <li>Conventions on the Transboundary Effects of Industrial Accidents (Helsinki, 17 March 1992)</li> <li>Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Helsinki, 17 March 1992)</li> <li>Convention on the Conservation of European Wildlife and Natural Habitats (Bern, 19 September 1979)</li> <li>Convention on Environmental Impact Assessment in Transboundary Context (Espoo/Finland, 25 February 1991).</li> <li>Agreement on the Conservation of Bats in Europe, concluded in London on 4 December 1991.</li> </ul>
2	By the Law No. 1244/2000 for the accession of the Republic of Moldova to the Convention on the Conservation of Migratory Species of Wild Animals, to the Agreement on the Conservation of African-Eurasian Migratory Waterbirds and to the Agreement on the Conservation of Bats in Europe <sup>59</sup>	<ul style="list-style-type: none"> <li>Convention on the Conservation of Migratory Species of Wild Animals;</li> <li>Agreement on the Conservation of Birds in Europe (London, 1991) Bird Life International,</li> <li>Agreement on the Conservation of Populations of European Bats, (EUROBATS, 2000).</li> <li>Agreement on the Conservation of African-Eurasian Migratory Waterbirds (The Hague, 1995), 1995</li> </ul>
3	By Government Decision No. 42/2000 On the approval of the draft decision of the Parliament of the Republic of Moldova "On the accession of the Republic of Moldova to the International Plant Protection Convention <sup>60</sup>	International Plant Protection Convention
4	Law No. 29/2003 for the accession of the Republic of Moldova to the Kyoto Protocol to the United Nations Framework Convention on climate change <sup>61</sup>	Kyoto Protocol to the United Nations Framework Convention on climate change.
5	Parliament Decision No. 966/1996 on the accession of the Republic of Moldova to the convention for the protection of the ozone layer and to the Protocol on substances that destroy the ozone layer <sup>62</sup>	Convention for the protection of the ozone layer and to the Protocol on substances that destroy the ozone layer; Protocol on substances that destroy the ozone layer (Montreal, 16 September 1987)
6	Decision of the Parliament of the Republic of Moldova No. 257/1998	United Nations Convention to combat desertification in countries severely affected by drought and / or desertification (Paris, 17 June 1994)
7	Parliament Decision No. 399/1995 for the accession of the Republic of Moldova to the Convention on long-range Transboundary Air Pollution <sup>63</sup>	Convention on long-range Transboundary Air Pollution
8	Signed by the Republic of Moldova on May 23, 2000	Protocol on combating acidification, eutrophication and ozone at ground level
9	Law No. 389/2004 for the accession of the Republic of Moldova to the Rotterdam Convention on the prior informed consent procedure applicable to certain hazardous chemical products and pesticides subject to international trade. <sup>65</sup>	Rotterdam Convention on the prior informed consent procedure applicable to certain hazardous chemical products and pesticides subject to international trade. <sup>65</sup>

<sup>58</sup> <http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=306829>

<sup>59</sup> [https://www.legis.md/cautare/getResults?doc\\_id=61755&lang=ro](https://www.legis.md/cautare/getResults?doc_id=61755&lang=ro)

<sup>60</sup> [https://www.legis.md/cautare/getResults?doc\\_id=74060&lang=ro](https://www.legis.md/cautare/getResults?doc_id=74060&lang=ro)

<sup>61</sup> [https://www.legis.md/cautare/getResults?doc\\_id=108245&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=108245&lang=ro#)

<sup>62</sup> [https://www.legis.md/cautare/getResults?doc\\_id=60767&lang=ro](https://www.legis.md/cautare/getResults?doc_id=60767&lang=ro)

<sup>63</sup> [https://www.legis.md/cautare/getResults?doc\\_id=8729&lang=ro](https://www.legis.md/cautare/getResults?doc_id=8729&lang=ro)

<sup>65</sup> [https://www.legis.md/cautare/getResults?doc\\_id=107427&lang=ro](https://www.legis.md/cautare/getResults?doc_id=107427&lang=ro)

	pesticides subject to international trade. <sup>64</sup>	
10	Law No. 1246/2000 for the accession of the Republic of Moldova to the Convention on international trade in wild fauna and flora endangered species (CITES).	Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), (Washington, 1973), 2000.

**List of international treaties/conventions concerning environmental protection, which have been ratified by Moldova:**

No.	National normative act	International convention/treaty
1	Law No. 1018/2002 ratifying the Protocol on persistent organic pollutants and the Protocol on heavy metals to the 1979 Convention on long-range Transboundary Air Pollution <sup>66</sup>	<ul style="list-style-type: none"> <li>▪ Protocol on persistent organic pollutants</li> <li>▪ Protocol on heavy metals to the 1979 Convention on long-range Transboundary Air Pollution</li> </ul>
2	Law No. 207/ 2005 for ratification of the Protocol on water and Health to the 1992 Convention on the protection and use of transboundary watercourses and international lakes, signed on 10 March 2000 <sup>67</sup>	Protocol on water and Health to the 1992 Convention on the protection and use of transboundary watercourses and international lakes, signed on 10 March 2000
3	Parliament decision No. 323/1999 for the ratification of the Convention on cooperation for the protection and sustainable use of the Danube River (Sofia, 29 June 1994).	Convention on cooperation for the protection and sustainable use of the Danube River (Sofia, 29 June 1994)
4	The Parliament Decision No. 504/1999 on the ratification of the convention on wetlands international importance especially as a habitat of waterfowl. <sup>68</sup>	Convention on Wetlands of International Importance especially as Waterfowl Habitat (Ramsar, 1971), 2001
5	Decision of the Parliament of the Republic of Moldova No. 1599/1998	Convention on the control over the transboundary transport of hazardous waste and its neutralisation (Basel, 1989)
6	Parliament Decision No. 346/1999 ratifying the Convention on access to information and Justice and public participation in environmental decision-making <sup>69</sup> .	The convention on access to information and Justice and public participation in environmental decision-making
7	Law No. 99/2013 on the ratification of the Protocol on Pollutant Release and Transfer Registers (PRTR)	Protocol on Pollutant Release and Transfer Registers (PRTR)
8	Parliament Decision No. 1546/1993. <sup>70</sup> Law No. 40/2004 on the ratification of the Stockholm Convention on persistent organic pollutants <sup>71</sup>	Convention on Biological Diversity (Rio de Janeiro, June 1992), 1993
9	Law No. 1381/2002 for the ratification of the Cartagena Protocol on Biosafety to the Convention on Biological Diversity <sup>72</sup>	Cartagena Protocol on Biosafety (Montreal, 2000), 2002
10	Law No. 96/2018 for the ratification of the Nagoya-Kuala Lumpur Supplementary Protocol on Liability	Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety to the

<sup>64</sup> [https://www.legis.md/cautare/getResults?doc\\_id=107427&lang=ro](https://www.legis.md/cautare/getResults?doc_id=107427&lang=ro)

<sup>66</sup> [https://www.legis.md/cautare/getResults?doc\\_id=108034&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=108034&lang=ro#)

<sup>67</sup> [https://www.legis.md/cautare/getResults?doc\\_id=107327&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=107327&lang=ro#)

<sup>68</sup> <http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=309166>

<sup>69</sup> [https://www.legis.md/cautare/getResults?doc\\_id=59140&lang=ro](https://www.legis.md/cautare/getResults?doc_id=59140&lang=ro)

<sup>70</sup> <http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=306829>

<sup>71</sup> [https://www.legis.md/cautare/getResults?doc\\_id=107698&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=107698&lang=ro#)

<sup>72</sup> [https://www.legis.md/cautare/getResults?doc\\_id=2617&lang=ro](https://www.legis.md/cautare/getResults?doc_id=2617&lang=ro)

	and Redress to the Cartagena Protocol on Biosafety. <sup>73</sup>	Cartagena Protocol on Biosafety to the Convention on Biological Diversity (Rio de Janeiro, 5 June 1992), adopted in Nagoya on 15 October 2010
11	Law No. 117/2016 for the ratification of the Nagoya Protocol on Access to Genetic Resources and Fair and Equitable Sharing of the Benefits Arising out of their Utilization to the Convention on Biological Diversity. <sup>74</sup>	Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of benefits arising out of their use (Nagoya, 29 October 2010), 2016
12	Law No. 156/2018 for the ratification of the Protocol on Strategic Environmental Assessment to the Convention on Environmental Impact Assessment in a Transboundary Context <sup>75</sup>	Protocol on Strategic Environmental Assessment to the Convention on Environmental Impact Assessment in a Transboundary Context
13	Law No. 536/2001 for the ratification of the Convention on the European landscape <sup>76</sup>	Convention on the European landscape (Florence, Italy 2000)
14	Parliament Decision No. 404/1995 <sup>77</sup> on ratification of the United Nations Framework Convention on climate change	United Nations Framework Convention on climate change

**List of international agreements/memorandums concerning environmental protection, to which Moldova is Party:**

No.	Name of Agreement /Memorandum	Signed
1	Memorandum of Understanding between the Ministry of Agriculture, Regional Development and environment of the Republic of Moldova and the Ministry of Agriculture of Hungary on cooperation in the field of Environment	7 March 2018, Chisinau
2	Agreement between the Ministry of environment of the Republic of Moldova and the Ministry of environment of the Republic of Lithuania on cooperation in the field of Environment	15 September 2016, Chisinau
3	Memorandum of Understanding between the Ministry of environment of the Republic of Moldova, represented by the National Regulatory Agency for nuclear and Radiological activities and the State Inspectorate for Nuclear Regulation of Ukraine on cooperation in nuclear and radiological safety and safety	28 September 2016, Vienna
4	Agreement between the Government of Moldova and the Cabinet of Ministers of Ukraine on cooperation in the field of protection and sustainable development of the Dniester River Basin	29 November 2012, Roma
5	Cooperation agreement between the National Regulatory Agency for nuclear and Radiological activities of the Republic of Moldova and the Swedish Radiological Safety Authority	23 August 2012, Chisinau
6	Memorandum of understanding between the government of the Republic of Moldova and the Government of the Republic of Turkey on the environment	1 November 2012, Ankara
7	Agreement between the Government of the Republic of Moldova and the Government of the state of Israel on cooperation in the field of Environmental Protection	14 May 2012 Jerusalem
8	Memorandum of cooperation between the National Regulatory Agency for nuclear and Radiological activities of the Republic of Moldova and the	12 December 2011 Bucharest

<sup>73</sup> <https://www.legis.md/cautare/downloadpdf/105466>

<sup>74</sup> [https://www.legis.md/cautare/getResults?doc\\_id=93654&lang=ro](https://www.legis.md/cautare/getResults?doc_id=93654&lang=ro)

<sup>75</sup> [https://www.legis.md/cautare/getResults?doc\\_id=105513&lang=ro](https://www.legis.md/cautare/getResults?doc_id=105513&lang=ro)

<sup>76</sup> [https://www.legis.md/cautare/getResults?doc\\_id=108101&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=108101&lang=ro#)

<sup>77</sup> [https://www.legis.md/cautare/getResults?doc\\_id=60740&lang=ro](https://www.legis.md/cautare/getResults?doc_id=60740&lang=ro)

	National Commission for the control of nuclear activities in Romania in the field of radiological safety and practices with ionizing radiation sources	
9	Regulation on the organization and functioning of the Intergovernmental hydrotechnical Commission for the implementation of the agreement between the Government of the Republic of Moldova and the Government of Romania on cooperation for the protection and sustainable use of the Prut and Danube waters	6 December 2011, Cahul
10	Agreement between the Ministry of environment of the Republic of Moldova and the Ministry of environment of the Republic of Estonia on cooperation in the field of Environmental Protection	19 October 2011, Tallinn
11	Agreement between the Government of the Republic of Moldova and the Government of Romania on cooperation for the protection and sustainable use of the Prut and Danube waters	28 June 2010, Chisinau
12	Memorandum of understanding between the Ministry of environment of the Republic of Moldova and the Ministry of Environment and forests of Romania on cooperation in the field of Environmental Protection	27 April 2010, Bucharest
13	Cooperation agreement between the Ministry of Ecology and Natural Resources of the Republic of Moldova and the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus in the field of Environmental Protection and sustainable use of Natural Resources	3 December 2008, Minsk
14	Agreement between the Government of the Republic of Moldova and the Government of the Russian Federation on cooperation in Environmental Protection and rational use of Natural Resources	20 February 2008, Moscow
15	Memorandum of cooperation and mutual assistance in nuclear and radiological safety issues between the governments of the member states of the organization for democracy and economic development	19 June 2007, Baku
16	Agreement between the Government of the Republic of Moldova and the Government of the Republic of Azerbaijan on cooperation in the field of Environmental Protection	22 February 2007, Baku
17	Agreement between the Ministry of Ecology and Natural Resources of the Republic of Moldova and the Ministry of environment of the Republic of Latvia on cooperation in the field of Environmental Protection	17 March 2006, Riga
18	Memorandum of understanding between the Government of the Republic of Moldova and the Government of the Kingdom of Denmark on cooperation for the implementation of the Kyoto Protocol of the United Nations Basic Convention on Climate Change	27 October 2003, Copenhagen
19	Agreement between the Ministry of Ecology, construction and territorial development of the Republic of Moldova and the Ministry of environment of the Republic of Poland on cooperation in the field of Environmental Protection and use of Natural Resources	22 October 2003, Chisinau
20	Agreement between the Government of Romania and the Government of the Republic of Moldova on cooperation in the field of protection of fishery resources and regulation of fishing in the Prut River and Stinca – Costesti reservoir	01 August 2003, Stinca - Costești
21	Agreement between the Ministry of Ecology, construction and territorial development of the Republic of Moldova and the Ministry of Environment and territorial protection of the Italian Republic on cooperation in the field of Environmental Protection	27 June 2002, Chisinau
22	Agreement between the Ministry of Environment and Spatial Planning of the Republic of Moldova, the Ministry of water, forests and Environmental Protection of Romania and the Ministry of Environment and Natural Resources of Ukraine on cooperation in the area formed by the protected natural areas of the Danube Delta and the lower Prut	5 June 2000, Bucharest
23	Statement by the Environment Ministers of Bulgaria, Moldova, Romania and Ukraine on cooperation in connection with the creation of the Lower Danube Green Corridor	5 June 2000, Bucharest
24	Memorandum of understanding between the Ministry of Ecology and	29 May 1997, Kiev



	Natural Resources of the Republic of Moldova and the Ministry of Environment and Natural Resources of Ukraine on Moldovan-Ukrainian cooperation in the field of sustainable use and protection of the Dniester River Basin	
25	Agreement between the Government of the Republic of Moldova and the Government of Ukraine on the sharing and protection of border waters	23 November 1994, Chisinau
26	Agreement between the Department of Environmental Protection of the Republic of Moldova and the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus on cooperation in the field of Environmental Protection	23 December 1994, Chisinau

## 11. How are the Sustainable Development Goals under the Agenda 2030 taken into account in the environment and climate policy-making?

The Republic of Moldova started the first phase of National Adaptation Planning (NAP1) with the development of the Climate Change Adaptation Strategy and its Action Plan until 2020, adopted by Government Decision No. 1009/2014<sup>78</sup>. It laid down the first national strategic framework aiming to advance the climate change resilience of the Republic of Moldova's social and economic development. NAP-1 has assessed the vulnerability of the key economic sectors and six were identified for priority climate adaptation action, namely: agriculture, water resources management, health, forestry, energy and transport.

Considering the developments at the international level that occurred during its implementation (the adoption in 2015 of the global Sustainable Development Agenda 2030 and its 17 Sustainable Development Goals, the Paris Agreement, and the development of the new EU CCA Strategy), conducted to the second phase of the NAP process in Moldova (NAP-2). In this sense, the Ministry of Environment is currently developing a new National Climate Change Adaptation Program until 2030 (NCCAP) and Action Plan. The Action Plan describes, per each sector, which adaptation actions should be taken, showing potential budget consequences and sources, foreseen duration and expected results, performance indicators and responsible institutions. It is divided in two phases – 2023-2026 and 2027-2030.

The climate change adaptation actions (CCA) in the country are systemic, i.e., cross-sectoral, embedded in relevant policy fields, as well as based on an up-to-date knowledge base and risk assessment for the vulnerable sectors.

**Five specific objectives** underpin the achievement of this goal. Four of the specific objectives envisaged in the Programme are horizontal (cross-cutting), while the fifth one aims at increasing climate resilience and facilitating climate change adaptation in six priority sectors (agriculture, water resources, public health, forestry, energy and transport).

<sup>78</sup> [https://www.legis.md/cautare/getResults?doc\\_id=49220&lang=ro](https://www.legis.md/cautare/getResults?doc_id=49220&lang=ro)

The detailed list of prospective measures along with the corresponding cost estimations is included in the Action Plan to NCCAP 2030. These are grouped along five strategic objectives (SOs), namely:

- SO1: Policy enforcement and capacity building for climate change adaptation;
- SO2: Strengthening the knowledge base and awareness raising through reliable and accessible information on climate change adaptation and reduction of hazards risk;
- SO3: Improve budgeting for climate change adaptation;
- SO4: Increase mainstreaming of CCA and disaster risks reductions in the sectoral strategic and investment planning at national and local levels;
- SO5: Increase resilience of priority sectors through climate-proof investments and reduction of climate-related hazards risk.

Each strategic objective is to be pursued through more specific courses of actions (CoAs), which was also disaggregated into specific measures.

Republic of Moldova's adaptation framework contributes to the country's sustainable development priorities embodied in the National Development Strategy "Moldova 2030" by ensuring resilience to climate change and facilitating adaptation in six priority sectors – agriculture, water resources, health, forestry, energy, and transport.

One of the strategic goals pursued by "Moldova 2030" and directly affecting the quality of life in the country is to increase the population's access to safe sources of water and energy, as well as to proper sanitation, road, and information technology infrastructure. The achievement of this overarching goal is dependent largely on the measures to be implemented in key economic sectors in view of gradually reaching sectoral and overall resilience to the changing climate. Thus, the climate change adaptation activities will be implemented pursuant to the proposed NAP until 2030 directly or indirectly, contributing to the achievement of the following SDG targets: 1.5, 6.4, 6.6, 9.1, 9.4, 11.2, 13.1, 13.2, 13.3, 15.2, 15.3, 15.5 and 15.9.

**12. Could you describe the effort in the field of environmental and climate change research and development (e.g. level of funding of national environmental institutes, etc.)?**

The effort in the environmental and climate change research and development is based on two components: national and international levels.

At national level the effort is stipulated in the National programme in the fields of research and innovation for the years 2020-2023. One of the Strategic priorities

of the National programme in the field of research and innovation is Environment and climate change. This priority is split in 5 strategic directions:

- The impact of biotic and abiotic factors on the environment and society;
- Safe, clean and efficient energy;
- Waste, plastics and pollutants;
- Ecological security;
- Biodiversity conservation.

The National Agency for Research and Development organized a competition to finance projects. As a result, 26 projects from various organizations (research institutes and universities) have been selected to receive finance for this specific Strategic priority for the years 2020-2023. Estimated budget for 4 years: cca. 181,5 mln Lei ( ~9,2 mln Euro)

*International level:* Moldovan organizations have been involved in projects regarding Environment and climate change financed through such programme like Horizon 2020. Acronyms for H2020 projects in which Moldovan organizations are members of the consortia: AXIS, BOND, BioHorizon, NCPsCaRE, SINCERE, IC4WATER, WaterWorks, AGRUMIG, METROFOOD-PP, Aquatic Pollutants, BRIDGE-BS, BiodivRestore, Biodiversa+

## **II. SECTORAL ENVIRONMENT AND CLIMATE POLICIES**

### **A. Horizontal Legislation**

**13. Are there measures providing for public access to environmental information (active and passive)? Are there provisions on administrative and/or judicial review in case access to information is not granted?**

The right to the access and dissemination of truthful environmental information is guaranteed by the State, based on the Constitution of the Republic of Moldova, international treaties, and agreements to which the Republic of Moldova is a party.

According to the provisions of Art. 37, para. (1) of the Constitution of the Republic of Moldova, everyone has the right to an environmentally friendly environment for life and health and harmless food and household items.

At the same time, according to Art. 37 para. (2) of the Constitution, the State guarantees everyone the right to free access to and dissemination of truthful information on the State of the natural environment, living and working conditions, quality of food, and household goods.

In order to guarantee access to information, justice, and public participation in environmental decision-making, the Republic of Moldova ratified by Parliament Decision No. 346-XIV of 7 April 1999 the Convention on Access to Information, Justice and Public Participation in Environmental Decision-making, signed in Aarhus, Denmark, on 25 June 1998<sup>79</sup>.

In addition to constitutional provisions, the right to environmental information is also enshrined in other legislation, such as:

*Law No. 982/2000 on access to information*<sup>80</sup> includes provisions on:

- the relations between the information provider and person in the process of ensuring and realizing the constitutional right of access to information;
- the principles, conditions, ways, and means of realizing access to official information in possession of information providers;
- the obligations of information providers in the process of ensuring access to official information;
- The manner of defending the right of access to information.

According to provisions of this Law, the official information holders, that are obliged to provide it to petitioner the information include the following categories:

- central and local public authorities - authorities of state administration, provided for in the Constitution of the Republic of Moldova, namely: the

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<sup>79</sup> [https://www.legis.md/cautare/getResults?doc\\_id=59140&lang=ro](https://www.legis.md/cautare/getResults?doc_id=59140&lang=ro)

<sup>80</sup> [https://www.legis.md/cautare/getResults?doc\\_id=108552&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=108552&lang=ro#)

Parliament, the President of the Republic of Moldova, the Government, the public administration, the judicial authority.

- central and local public institutions - organizations founded by the state in the person of public authorities and financed from the state budget, whose purpose is to perform administrative, social-cultural and other non-commercial tasks;
- individual and legal persons who, on the basis of law or contract with the public authority or public institution, are entitled to manage public services and collect, select, possess, store, dispose of official information.

The information can be requested under the under the conditions of this Law by the following categories of persons:

- any citizen of the Republic of Moldova;
- citizens of other states, having their domicile or residence in the territory of the Republic of Moldova;
- stateless persons established with domicile or residence on the territory of the Republic of Moldova.

Article 4 of the Law stipulates, that everyone has the right to ask, receive and become acquainted with official information, regardless of nationality, ethnic origin, language, religion, sex, opinion, political affiliation, material status or social origin, and does not discriminate based on race.

*Regulation on public access to environmental information*<sup>81</sup> approved by Government Decision No. 1467 / 2016 transposes Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repeals Council Directive 90/313/EEC. This Regulation ensures the right of access to environmental information held by or for public authorities and lays down the conditions, basic terms, and procedures for exercising this right.

*The framework Law No. 1515/1993 on environmental protection*<sup>82</sup> includes the specific Article 30, that stipulates, that the *State recognizes the right of all individuals to a healthy environment, in which purpose it ensures, under the legislation in force, full, operative, and free access to information on the state of the environment and the state of health of the population.*

There are series of other legislation documents, where the legal provisions on access to environmental information are set forth and namely:

- Law No. 1536/1998 on hydrometeorological activity<sup>83</sup>;
- Law No. 1422/1997 on atmospheric air protection.<sup>84</sup>;

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<sup>81</sup> [https://www.legis.md/cautare/getResults?doc\\_id=114423&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=114423&lang=ro#)

<sup>82</sup> [https://www.legis.md/cautare/getResults?doc\\_id=112032&lang=ro](https://www.legis.md/cautare/getResults?doc_id=112032&lang=ro)

<sup>83</sup> [https://www.legis.md/cautare/getResults?doc\\_id=108550&lang=ro](https://www.legis.md/cautare/getResults?doc_id=108550&lang=ro)

<sup>84</sup> [https://www.legis.md/cautare/getResults?doc\\_id=108699&lang=ro](https://www.legis.md/cautare/getResults?doc_id=108699&lang=ro)

- Law No. 1102/1997 on natural resources.<sup>85</sup>
- Law No. 182/2019 on the quality of drinking water<sup>86</sup> ;
- Law No. 86/2014 on environmental impact assessment<sup>87</sup>.
- Law No. 11/2017 on strategic environmental assessment<sup>88</sup>. etc.

According to the Law No. 982/2000, the dissemination of information is carried out in 2 ways:

- *actively* - According to Art. 11 para. (1), the provider of information, in accordance with the powers vested in him, is obliged: to ensure citizens' active, correct and timely information on matters of public interest and matters of personal interest;
- *passively* - Article 12 para. (1) provides that official information shall be made available to applicants upon written or oral request. The request can be made verbally, in cases where a positive response is possible, with immediate satisfaction of the request to provide the information. If the public institution intends to refuse access to the requested information, it have to inform the applicant of this and of the possibility of submitting a written request. The request for providing the information can be readdressed to another public institution, with the mandatory information of the applicant within 3 working days from the moment of receipt of the request and with the consent of the applicant, in the following cases:
  - the requested information is not in the possession of the notified provider;
  - the requested information held by another provider would more fully satisfy the applicant's interest in the information.

According to the Law No. 982/2000, all information and documents requested will be made available to the applicant when they are available, but no later than 15 working days from the date of registration of the request for access to information. According to item 8 of the Regulation on public access to environmental information approved by Government Decision No.1467/2016, if the volume and complexity of the requested information so large that the 15 working days period referred to in item 7 cannot be met, the environmental information shall be made available to the applicant within 20 working days from the date of receipt of the request by the public authority. In such cases, the applicant shall be informed at the latest 5 days before the expiry of the initial deadline. The information should include reasons for the extension of the deadline for response.

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<sup>85</sup> [https://www.legis.md/cautare/getResults?doc\\_id=109389&lang=ro](https://www.legis.md/cautare/getResults?doc_id=109389&lang=ro)

<sup>86</sup> [https://www.legis.md/cautare/getResults?doc\\_id=119769&lang=ro](https://www.legis.md/cautare/getResults?doc_id=119769&lang=ro)

<sup>87</sup> [https://www.legis.md/cautare/getResults?doc\\_id=106006&lang=ro](https://www.legis.md/cautare/getResults?doc_id=106006&lang=ro)

<sup>88</sup> [https://www.legis.md/cautare/getResults?doc\\_id=105551&lang=ro](https://www.legis.md/cautare/getResults?doc_id=105551&lang=ro)

The exercise of the right of access to information may be subject only to restrictions regulated by law and which correspond to the needs:

- respect for the rights and reputation of another person;
- protection of national security, public order, protection of health or protection of society's morals.

Access to official information may not be restricted, except:

- information assigned to state secret, regulated by special law, whose unauthorized disclosure or loss may affect the interests and / or security of the Republic of Moldova;
- confidential information in the field of business, presented to public institutions as confidentiality, regulated by the trade secret legislation, and related to production, technology, administration, finance, other activity of economic life, the disclosure of which (transmission, leakage) can achieve the interests of entrepreneurs;
- personal information, the disclosure of which is considered as an interference in the private life of the person, protected by the legislation on the protection of personal data;
- information related to the operative activity and criminal prosecution of the competent bodies, but only in cases where the disclosure of this information could prejudice the criminal prosecution, interfere in the conduct of a trial, deprive the person of the right to a fair and impartial judgment of his case, or would endanger the life or physical security of any person-aspects regulated by;
- information that reflects the final or intermediate results of scientific and technical investigations and whose disclosure deprives the authors of the investigations of the priority of publication or negatively influences the exercise of other rights protected by law.

If the access to the requested information is partially limited, the information providers are obliged to present to the applicants the parts of the document, access to which does not contain restrictions according to the legislation, indicating in the places of the omitted portions one of the following phrases: "state secret", "trade secret", and "confidential information about the person".

Restrictions on freedom of information shall not be imposed unless the information provider can demonstrate that the restriction is regulated by Organic Law and necessary in a democratic society for the protection of the rights and legitimate interests of the person or the protection of national security and that the damage to these rights and interests would be greater than the public interest in the knowledge of information.

Refusal to provide information, an official document shall be made in writing, indicating the date of the refusal, the name of the responsible person, the reason

for the refusal, making mandatory reference to the normative act (title, number, date of adoption, source of the official publication), on which the refusal is based, as well as the procedure for appealing the refusal, including the limitation period.

*Provisions on administrative and/or judicial review in case access to information are not granted:*

According to Art. 21 para. (1) and (2) of Law No. 982/2000 on access to information<sup>89</sup>, the person who considers himself harmed in a right or legitimate interest by the information provider may appeal his actions both extrajudicially and directly in the competent administrative court.

According to Art. 21 para. (3) of Law No. 982/2000 on access to information, a person who considers that his legitimate right or interest has been infringed may appeal any action or inaction of the person responsible for receiving and examining requests for access to information, but in particular concerning:

- unjustified refusal to receive and register the request;
- refusal to provide free and unconditional access to public registers held by the information provider;
- breach of the time-limits and of the procedure for dealing with a request for access to information;
- failure to submit or inadequate submission of the requested information;
- unjustified refusal to provide the requested information;
- unjustified classification of the information as containing state secrets, trade secrets or other official information of limited accessibility;
- unjustified secrecy of information;
- determining the payment and the size of the payment for the information provided;
- causing material and/or non-material damage through the unlawful actions of the information provider.

In the resolution of disputes concerning access to information, the information providers shall take measures to protect the rights of all persons whose interests may be affected by the disclosure of information, including ensuring their participation in the process as third parties. When considering access to information disputes, the court shall take all reasonable and sufficient precautions, including convening closed sessions, to avoid disclosure of information, and limited access to which may be entitled.

*The extra-judicial challenge of suppliers' actions of information*

According to Art. 22 of the Law No. 982/2000 on access to information, if the person considers that his or her legitimate rights or interests in relation to access to information have been infringed, he or she may appeal the actions or inactions

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<sup>89</sup> [https://www.legis.md/cautare/getResults?doc\\_id=108552&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=108552&lang=ro#)



of the information provider to the management of the information provider and/or to the higher hierarchical body of the information provider within 30 days from the date when he or she knew or ought to have known of the infringement. The management of the information provider and/or its superior hierarchical body shall examine the information requester's objections within 5 working days and shall obligatorily inform the petitioner of the examination results within 3 working days. Complaints, which challenge the actions or inactions of organizations that do not have their superior bodies, shall be addressed directly to the competent administrative court.

The person may also apply to the Ombudsman to defend his or her rights and legitimate interests. According to the Art. 18 of the Law No. 52/2014 on the Ombudsman<sup>90</sup>, the Ombudsman shall examine applications from individuals, regardless of race or ethnic origin, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other circumstances, who are permanently resident, present or temporarily present in the territory of the country (hereinafter - petitioners), whose rights and freedoms are alleged to have been violated by the Republic of Moldova.

The Ombudsman shall not substitute his powers for those of public authorities, law enforcement bodies and courts. The Ombudsman examines applications concerning decisions, actions or inactions of public authorities, organisations and enterprises, regardless of the type of ownership and legal form of organisation, non-commercial organisations and persons in positions of responsibility at all levels which, in the opinion of the petitioner, have violated his/her rights and freedoms.

The application to the Ombudsman shall be submitted within one year from the day of the alleged violation of the petitioner's rights or freedoms or from the day when the petitioner became aware of the alleged violation. Applications shall be submitted in person or by post, fax, e-mail or other means of communication. The application may also be submitted by a representative of the person whose rights have been violated, by non-governmental organisations, trade unions and other representative organisations on behalf of the person.

According to the Art. 24 of the Law No. 52/2014 on the Ombudsman, in situations where violations of the petitioner's rights or freedoms are found, the Ombudsman shall submit an opinion to the authority or responsible person whose decisions, actions or inactions, in his or her opinion, violate human rights and freedoms, including recommendations on measures to be taken for the immediate restoration of the petitioner's rights. The authority or responsible person who received the opinion shall be obliged to examine it within 30 days and to inform the Ombudsman in writing of the measures taken to remedy the situation. If the Ombudsman does not agree with the measures taken, he shall have the right to refer the matter to a higher hierarchical body to take the necessary measures to

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<sup>90</sup> [https://www.legis.md/cautare/getResults?doc\\_id=121241&lang=ro](https://www.legis.md/cautare/getResults?doc_id=121241&lang=ro)

implement the recommendations contained in his opinion and/or to inform the public. The superior hierarchical body is obliged to communicate the measures taken within 45 days.

According to the Art. 25 of the Law No. 52/2014 on the Ombudsman, on the basis of the results of the examination of the complaint, the Ombudsman shall be entitled:

- to apply to the court to defend the interests of the petitioner whose fundamental rights and freedoms have been violated;
- to intervene with the competent authorities with a request for the institution of disciplinary or criminal proceedings against the person in a position of responsibility who has committed violations which have resulted in the infringement of human rights and freedoms;
- to refer to the prosecutor's office the offence referred to in Article 320 of the Contravention Code of the Republic of Moldova;
- to refer cases of negligence in service, violation of service ethics, procrastination and bureaucracy to the responsible persons at all levels.

The Ombudsman shall be entitled to bring an action before a court of law in relation to detected acts of mass or serious violation of human rights and freedoms. The application for a writ of summons filed by the People's Advocate shall be exempt from the state tax. Also, the Ombudsman may intervene in the proceedings in order to make submissions in defense of the rights, freedoms and legitimate interests of individuals.

#### *Judicial review of actions of information providers*

According to Art. 23 of the Law No. 982/2000 on access to information, if the person who considers that his or her legitimate rights or interests regarding access to information have been infringed, as well as if he or she is not satisfied with the solution given by the management of the information provider or its superior body, he or she may challenge the actions or inaction of the information provider directly before the competent administrative court. The court shall be seized within one month from the date of receipt of the reply from the information provider or, if no reply has been received, from the date when it should have been received. If the applicant for information has previously challenged the actions of the information provider out of court, the time limit of one month shall run from the date of communication of the reply to the management of the information provider and/or its superior body or, if no reply has been received, from the date when it should have been received.

#### *Consequences of prejudice to the right of access to information*

Depending on the seriousness of the effects of the unlawful refusal of the public official, responsible for providing official information, to provide access to the

requested information, the court shall decide on the application of sanctions in accordance with the Law, compensation for the damage caused by the unlawful refusal to provide information or by other actions prejudicing the right of access to information, as well as on the prompt satisfaction of the applicant's request.

**14. What are the provisions in relation to access to the courts and administrative complaints when it comes to organisations (including nongovernmental organisations) and individuals? What types of acts and omissions can be challenged for their legality on environmental grounds in the context of administrative decision-making?**

Legal framework on access to the courts and administrative complaints when it comes to organisations (including non-governmental organisations) and individuals comprises of the following acts:

*Constitution of the Republic of Moldova No 1/1994.* <sup>91</sup> Art. 26 Right to defense (1) The right to defense is guaranteed. (2) Everyone has the right to react independently, by legitimate means, to the violation of his rights and freedoms.

-Art. 52 Right to petition (1) Citizens shall have the right to petition the public authorities on behalf of petitioners only.

-Art. 20 Free access to justice (1) Everyone has the right to effective remedy by the competent courts against acts violating his rights, freedoms and legitimate interests.

*Law No. 1515/1993 on Environmental Protection.* <sup>92</sup> Art. 30. The State recognizes the right to a healthy environment for all natural persons, in which purpose it ensures, in accordance with the legislation in force: g) the right to address, directly or through organizations, parties, movements, associations, environmental, administrative or judicial authorities in order to stop actions that damage the environment, regardless of whether economic agents will be directly harmed or not; the right to hold liable persons, who have committed contraventions or environmental offences;

*Code of Civil Procedure No.225/2003.* <sup>93</sup> Art. 5. Free access to justice (1) Any interested person has the right to apply to the court, in the manner established by law, in order to defend his/her violated or contested rights, freedoms and legitimate interests.

If individuals, legal entities and organizations (including non-governmental organizations) find that their rights have been infringed in the administrative procedure, they have the right to an appeal the decision of the public authority in the preliminary procedure as well as in court in accordance with the *Administrative*

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<sup>91</sup> [https://www.legis.md/cautare/getResults?doc\\_id=111918&lang=ro](https://www.legis.md/cautare/getResults?doc_id=111918&lang=ro)

<sup>92</sup> [https://www.legis.md/cautare/getResults?doc\\_id=112032&lang=ro](https://www.legis.md/cautare/getResults?doc_id=112032&lang=ro)

<sup>93</sup> [https://www.legis.md/cautare/getResults?doc\\_id=110220&lang=ro](https://www.legis.md/cautare/getResults?doc_id=110220&lang=ro)

*Code No. 116/2018.*<sup>94</sup> Art. 20. Action in administrative dispute: If a legitimate right or freedom established by law is infringed by an administrative activity, this right may be claimed through an administrative dispute action, on which the courts competent to examine the administrative dispute procedure shall decide in accordance with this Code.

According to national legislation, any person, including associations of persons or organizations, shall have the right to contest any decision provided for in the environmental legislation in compliance with the Administrative Code No. 116/2018, including if the rights of the public to information and participation in the environmental processes are infringed or ignored by such decisions.

*The types of acts and omissions can be challenged for their legality on environmental grounds in the context of administrative decision making are:*<sup>95</sup>

- environmental permits (e.g. environmental opinion (SEA); environmental permit (EIA); environmental permit for special water use; environmental permit for waste management; etc.);
- environmental decisions (e.g. decisions issued on the basis of the provisions of EIA Law and SEA Law;
- minutes on public consultation regarding the environmental issues;
- reports on environmental crimes;
- other.

**15. Do standardised systems or methods for gathering, transferring and reporting of data and statistics concerning the environment exist?**

In the Republic of Moldova there are standardized systems and methods for collecting, transferring, and reporting environmental data and statistics, namely:

***1) Statistics on waste:***

Government Decision No. 501/2018<sup>96</sup> approved the Instruction on keeping records and transmitting data and information on waste and waste management, according to which producers/holders of waste, who generate more than 50 kg of hazardous waste or more than 1 tonne of non-hazardous waste per year, are obliged to annually report data on waste generation and management.

The data is reported by April 30<sup>th</sup> of each year to the Environment Agency through the Automated Information System "Waste Management" (Government Decision No. 682/2018<sup>97</sup>) by:

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<sup>94</sup> [https://www.legis.md/cautare/getResults?doc\\_id=16072&lang=ro](https://www.legis.md/cautare/getResults?doc_id=16072&lang=ro)

<sup>95</sup> [https://www.legis.md/cautare/getResults?doc\\_id=129135&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=129135&lang=ro#)

<sup>96</sup> [https://www.legis.md/cautare/getResults?doc\\_id=108614&lang=ro](https://www.legis.md/cautare/getResults?doc_id=108614&lang=ro)

<sup>97</sup> [https://www.legis.md/cautare/getResults?doc\\_id=108814&lang=ro](https://www.legis.md/cautare/getResults?doc_id=108814&lang=ro)

- entities whose activity generates waste (waste producers);
- entities that collect, under contract, waste generated by other entities (population, commercial units, and institutions);
- holders of the environmental permit for waste management;
- establishments and enterprises subject to derogations from the permitting requirements.
- waste dealers or brokers.

The information reported includes the total quantity of each category of waste generated/received/collected by waste producers/holders as well as information on waste management (treatment). Sanitation service operators additionally report the number of population and the number of households benefiting from sanitation (specifying the territorial profile, including rural/urban).

Data and information on waste and waste management shall be processed and generalized by the Environment Agency and periodically published on the official website of the Environment Agency.<sup>98</sup> The analytical note on waste management in the Republic of Moldova is submitted to the National Bureau of Statistics under the provisions of the Annual Statistical Work Programmes by 20 July each year. The information is used by public authorities in the decision-making process and by all stakeholders.

Also, based on generalized data, the Environment Agency produces 4 waste indicators:

- I1 – Generated waste<sup>99</sup>;
- I2 – Hazardous waste management<sup>100</sup>;
- I3 – Reuse and recycling of waste<sup>101</sup>;
- I4 - Final disposal of waste<sup>102</sup>.

## ***2) Statistics on air:***

Under the provisions of Articles 28 and 29 of the Law No. 1422/1997 on the protection of atmospheric air<sup>103</sup>, the environmental authorities of the Republic of Moldova provide state records of objectives with harmful influence on atmospheric air, types, and volumes of pollutants emitted into the air, as well as qualitative and quantitative parameters of harmful effects on the environment. There are several tools for collecting and presenting information on air pollutant emissions, namely:

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<sup>98</sup> <https://am.gov.md/ro/node/672>

<sup>99</sup> <https://am.gov.md/ro/node/441>

<sup>100</sup> <https://am.gov.md/ro/node/442>

<sup>101</sup> <https://am.gov.md/ro/node/443>

<sup>102</sup> <https://am.gov.md/ro/node/444>

<sup>103</sup> [https://www.legis.md/cautare/getResults?doc\\_id=130529&lang=ro](https://www.legis.md/cautare/getResults?doc_id=130529&lang=ro)

- *via the Statistic Report "1 Air"* – "Atmospheric air protection". Statistical Forms 1-Air are periodically approved by Joint Orders of the Ministry of the Environment and the National Bureau of Statistics<sup>104</sup>. They are completed on paper by economic entities with stationary sources of air pollution and submitted to the territorial environmental authorities (environmental protection inspectorates) by 25 February each year, that are further verified and validated and transmitted to the territorial statistical authorities under the provisions of the annual statistical work programmes by 25 March each year.

The reported information includes:

- stationary sources of air pollutant emissions owned by the economic operator
- pollutants emitted into the air and their volume from each source,
- measures taken by the economic operator to reduce emissions into the air.

The information is used for the elaboration of the Statistical Yearbook, the elaboration of reports on the state of the environment in the Republic of Moldova, and it is used by public authorities in the decision-making process and by all stakeholders.

The information is also used in the production of indicator **A1 – air pollutant emissions**.<sup>105</sup>

- *via the monitoring and reporting system for greenhouse gas emissions*, established by Government Decision No. 1277/2018 on the establishment and operation of the National Monitoring and Reporting System (NMRS) for greenhouse gas (GHG) emissions and other information relevant to climate change<sup>106</sup>. The national GHG emissions inventory is compiled annually by the Environment Agency. The Agency requests annually from the responsible institutions and authorities that are part of the NMRS (listed in Annex No. 2 to Government Decision No. 1277/2018) the submission of data according to Tables 2-6 of Annex No. 1 to Government Decision No. 1277/2018 on the activity generating GHG emissions from different areas: energy, industrial processes, and product use, agriculture, waste, land use, and others. In the case of *direct* greenhouse gas emissions, the national inventory is carried out following the 2006 IPCC Guidelines and its updated editions, using reporting software recommended by the IPCC and the UNFCCC, and in the case of *indirect* greenhouse gas emissions, the national inventory is carried out following the updated editions of the Guidelines on Air Pollutant Emission Inventories, the Technical Guidance for National Emission Inventories, published and periodically updated by the European Environment Agency under the European Monitoring and Evaluation Programme.

<sup>104</sup> <https://statistica.gov.md/pageview.php?l=ro&idc=635&id=7203>

<sup>105</sup> <https://am.gov.md/ro/node/416>

<sup>106</sup> [https://www.legis.md/cautare/getResults?doc\\_id=129128&lang=ro](https://www.legis.md/cautare/getResults?doc_id=129128&lang=ro)

The Environment Agency shall submit the inventory with the following data to the Ministry of Environment by 15 December of the reporting year (year X):

- the level of anthropogenic emissions of direct greenhouse gases – carbon dioxide [CO<sub>2</sub>], methane [CH<sub>4</sub>], nitrous oxide [N<sub>2</sub>O], hydrofluorocarbons [HFCs], perfluorocarbons [PFCs], sulfur hexafluoride [SF<sub>6</sub>], nitrous trifluoride [NF<sub>3</sub>] – recorded 2 years before the reporting year (year X-2);
- the level of anthropogenic emissions of indirect greenhouse gases – carbon monoxide [CO], nitrogen oxides [NO<sub>x</sub>], non-methane volatile organic compounds [NMVOCs], sulfur dioxide [SO<sub>2</sub>] – recorded 2 years before the reporting year (year X-2);
- accounting for emissions and sequestrations from land use, land-use change, and forestry – recorded 2 years before the reporting year (year X-2);
- measures taken to improve estimates of the level of greenhouse gas emissions, mainly estimates that have been recalculated, etc.

The inventory is submitted by the Ministry of the Environment to the UNFCCC Secretariat annually by 31 December. It is made public on the websites of environmental institutions and accessible to the interested public. Based on the Inventory data, the Environment Agency develops indicator B3 – Greenhouse gas emissions.<sup>107</sup>

- *via the air quality monitoring system carried out by the Environmental Reference Laboratory of the Environment Agency*, according to the annual air quality monitoring programmes approved and implemented by the Environment Agency.

The national air quality monitoring network consists of 18 monitoring stations (points), 8 stations are located on the territory of the Republic of Moldova: 6 in the municipality of Chisinau and 2 in the municipality of Balti, the remaining 9 stations are located in the left side of the Dniester River (transnistrian region): Bender – 4 points, Tiraspol – 3 points, Ribnita – 2 points. Samples are taken from the 9 points in Chisinau and Balti 3 times a day, at 7:00, 13:00, and 19:00, and transported for the investigation to the Environmental Reference Laboratory of the Environment Agency according to approved methodologies, for the following basic pollutants: solid suspensions, sulfur dioxide, carbon monoxide, nitrogen dioxide and specific: soluble sulfates, nitrogen oxide, phenol, formaldehyde. Processed data representing daily average concentrations of the pollutants mentioned are published daily on the Environment Agency's website<sup>108</sup> and displayed in monthly bulletins<sup>109</sup>. The information from the left side of the Dniester is submitted to the Environment Agency monthly, generalized.

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<sup>107</sup> <https://am.gov.md/ro/node/421>

<sup>108</sup> <http://mediu.gov.md/ro/node/216>

<sup>109</sup> <https://am.gov.md/ro/node/215>

Based on the accumulated data, the Environment Agency develops indicator **A2 – air quality in urban areas**.<sup>110</sup>

In case of significant exceedances of the MAC of pollutant emissions, the Environment Agency informs the Ministry of Environment, the Government, and other competent authorities to take urgent measures to reduce the intensity of pollutant emissions and to liquidate other harmful effects on the atmosphere.

### ***3) Statistics in the field of water:***

According to the Law on Water No. 272/2011<sup>111</sup> (Article 14) the instrument used at national level for collecting data in the field of waters is the State Water Cadastre, maintained by the Water Agency "Apele Moldovei". The State Water Cadastre collects, processes, and stores data on monitored water resources, the hydrographic network, water bodies, hydro-technical constructions, protected areas, protection zones, and riparian water protection strips, as well as data on water abstractions and discharges, water balance, river basin management, land of water fund and other relevant information. According to the provisions of the Government Decision No. 183/2022 on the approval of the Regulation of the State Water Cadastre, formed by the Automated Information System "State Water Cadastre"<sup>112</sup>, the institutions providing data to the system are:

- Water Agency "Apele Moldovei";
- Environment Agency;
- Agency for Geology and Mineral Resources;
- State Hydrometeorological Service.

Users of State Water Cadastre data are:

- the Ministry of the Environment and subordinate authorities;
- the central specialized state authorities;
- the law enforcement bodies competent to prevent and combat corruption offences and corruptible acts;
- the public.

Under the provisions of Government Decision, No 835/2015<sup>113</sup> the recording and reporting of data on the quantities of water used are carried out by water users operating under the environmental permit for special water use, regardless of the form of ownership and source of water used. Paper data on the use of water resources (statistical form "1-water management"<sup>114</sup>) is submitted to the Water

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<sup>110</sup> <https://am.gov.md/ro/node/417>

<sup>111</sup> [https://www.legis.md/cautare/getResults?doc\\_id=121479&lang=ro](https://www.legis.md/cautare/getResults?doc_id=121479&lang=ro)

<sup>112</sup> [https://www.legis.md/cautare/getResults?doc\\_id=130967&lang=ro](https://www.legis.md/cautare/getResults?doc_id=130967&lang=ro)

<sup>113</sup> [https://www.legis.md/cautare/getResults?doc\\_id=114419&lang=ro](https://www.legis.md/cautare/getResults?doc_id=114419&lang=ro)

<sup>114</sup> [https://statistica.gov.md/public/files/Formulare\\_statistice/2019/Mediul%20inconjurator/1-gosp\\_ape.pdf](https://statistica.gov.md/public/files/Formulare_statistice/2019/Mediul%20inconjurator/1-gosp_ape.pdf)



Agency “Apele Moldovei” of the Ministry of Environment by all water users in the Republic of Moldova.

The form collects the following data:

- Name of water source;
- Company (water user) code;
- Water object code;
- Water quality category;
- Volume of water abstracted per year and per month (thousand m<sup>3</sup>);
- Limit set for water abstraction (thousand m<sup>3</sup>);
- Volume of water used practically (thousand m<sup>3</sup>);
- Destination of water use (needs) and volumes of use;
- Volume of water distributed to other users;
- Losses during transport.

Data are collected in the following profiles: administrative-territorial; river basin; economic activity; water management sectors.

The deadline for submitting data on water use at the enterprise to the " Water Agency “Apele Moldovei” is 1 March each year. The Water Agency “Apele Moldovei” generalizes the data according to the software program and submits them to 4 institutions: National Bureau of Statistics; Ministry of Environment, Ministry of Economy and Ministry of Agriculture and Food Industry. The main users of the collected and generalised data are Water Agency “Apele Moldovei”, Environment Agency, Institute of Ecology and Geography, Academy of Sciences of the Republic of Moldova, National Bureau of Statistics. The data collected is also included in the State Water Cadastre, and used to produce environmental indicators:

## **C2 – Freshwater abstraction in the Republic of Moldova<sup>115</sup>**

## **C3 – Total water use in the Republic of Moldova<sup>116</sup>**

## **C7 – Water losses <sup>117</sup>**

Following the provisions of the Government Decision No. 932/2013 for the approval of the Regulation on the monitoring and systematic recording of the status of surface water and groundwater<sup>118</sup> the Environment Agency monitors the quality of surface water based on water quality monitoring programmes approved annually and implemented by the Environment Agency (Environmental Reference

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<sup>115</sup> <https://am.gov.md/ro/node/358>

<sup>116</sup> <https://am.gov.md/ro/node/360>

<sup>117</sup> <https://am.gov.md/ro/node/447>

<sup>118</sup> [https://www.legis.md/cautare/getResults?doc\\_id=114533&lang=ro](https://www.legis.md/cautare/getResults?doc_id=114533&lang=ro)

Laboratory). The programmes are published on the official website of the Environment Agency<sup>119</sup>.

The surface water quality monitoring network in the Republic of Moldova comprises 49 monitoring sections located on 34 large and small rivers, 6 reservoirs, and 2 natural lakes. The Environmental Reference Laboratory analyses the following:

- 72 hydrochemical parameters (physico-chemical indicators, oxygen regime indicators, biogenic elements, heavy metals, nitrates, organic pollutants, organochlorine pesticides, and polyaromatic hydrocarbons);
- 6 groups of hydrobiological elements (phytoplankton, including chlorophyll "a", zooplankton, phytobenthos, macrozoobenthos, macrophytes and aquatic microbiology).

Based on the results obtained, water quality is assessed under the quality requirements for surface waters, which are set out in monthly bulletins<sup>120</sup> and included monthly in the State Water Cadastre.

Based on the accumulated data, the Environment Agency develops indicators:

#### **C10 – Biochemical oxygen consumption and ammonium levels in rivers<sup>121</sup>**

#### **C 11 – Nutrients in freshwater<sup>122</sup>**

Also, under the provisions of the Government Decision No. 932/2013 for the approval of the Regulation on monitoring and systematic recording of the status of surface water and groundwater, groundwater monitoring is carried out.

Currently, the Environment Agency is implementing a new tool for automated collection and processing of data on pollutant emissions into the air, water, soil, and diffuse sources, as well as shipments of waste and pollutants from wastewater off-site – the Automated Information System for Pollutant Release and Transfer Register (AIS PRTR), approved by Government Decision No. 373/2018<sup>123</sup>. The data in this system reported by operators carrying out one or more activities generating pollutant emissions, listed in Annex 1 to the Regulation on the National Pollutant Release and Transfer Register and are:

- emissions to air, water or land of any pollutant specified in Annex 2;
- off-site shipments of hazardous or non-hazardous waste for any recovery or disposal operations,
- off-site transfers of any pollutants specified in Annex 2 through waste water that is destined for treatment.

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<sup>119</sup> <https://am.gov.md/sites/default/files/document/attachments/Program%20de%20monitoring%202022.pdf>

<sup>120</sup> <https://am.gov.md/ro/node/215>

<sup>121</sup> <https://am.gov.md/ro/node/450>

<sup>122</sup> <https://am.gov.md/ro/node/451>

<sup>123</sup> [https://www.legis.md/cautare/getResults?doc\\_id=122933&lang=ro](https://www.legis.md/cautare/getResults?doc_id=122933&lang=ro)

Data is reported electronically by 30 April each year. The data provided is accompanied by an indication of whether it is based on measurements or calculations, indicating the analytical method and/or calculation method used (as per Annex 4), or whether it is based on estimates.

#### ***4) Statistics on biodiversity and natural ecosystems:***

According to the Regulation on the organization and functioning of the Environment Agency, approved by Government Decision No. 549/2018 (item 8), the Environment Agency ensures the monitoring of state-protected natural areas, monitoring of plant and animal kingdom, monitoring of fisheries to provide natural and legal persons with information on the state of natural resources, development of the system of statistical indicators in the field of environmental protection, as well as the preparation and publication of the National Report on the State of the Environment in the Republic of Moldova. As a result of the monitoring, the Environment Agency creates and manages special cadastres<sup>124</sup> and registers and appropriate data banks and ensures public access to the information produced.

In the Republic of Moldova, there is a mechanism for the registration of state-protected natural areas established by Government Decision No. 414/2000<sup>125</sup> on the approval of the Regulation on the Cadastre of Objects and Complexes of State Protected Natural Areas (CSPNA). The record is made by including in the Cadastre the descriptions, maps and topographical plans of all the land in the complexes included in the fund of state-protected natural areas, regardless of their classification and type of ownership.

The Environment Agency has officially taken over from the previous holder (the Institute of Ecology and Geography) and manages all information about CSPNA, both in paper and electronic form.<sup>126</sup> Data and information are published on the Agency's website and are accessible to the interested public. Based on this information and data, the Environment Agency produces the following indicator **D1 - Protected areas**<sup>127</sup>.

State registration of **plant kingdom** objects and their use, providing central public authorities and local public administration authorities, interested legal and natural persons with cadastral information on the plant kingdom and on the economic evaluation of plant kingdom objects is carried out following the Regulation on the Cadastre of Plant Kingdom Objects, approved by Government Decision No 2011/2009.<sup>128</sup> Cadastres represent documents in the form of texts, tables, maps, and diagrams, usually also in electronic format, containing data and information on the distribution of plant kingdom objects by land categories or aquatic objectives, on the holders of these lands, on the quantitative and qualitative

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<sup>124</sup> <https://am.gov.md/ro/node/588>

<sup>125</sup> [https://www.legis.md/cautare/getResults?doc\\_id=112779&lang=ro](https://www.legis.md/cautare/getResults?doc_id=112779&lang=ro)

<sup>126</sup> <https://drive.google.com/file/d/1tsSA7aGNsCGQSuqlgDL-22F-gcMPnkWI/view>

<sup>127</sup> <https://am.gov.md/ro/node/424>

<sup>128</sup> [https://www.legis.md/cautare/getResults?doc\\_id=8481&lang=ro](https://www.legis.md/cautare/getResults?doc_id=8481&lang=ro)

characteristics of plant kingdom objects, on their economic evaluation and use at the local and national level. The Cadastre contains data on:

- species of plants, algae, lichens, and fungi growing in natural conditions;
- species with the status of rare, vulnerable, or endangered species and/or those with protected status, according to the provisions of international treaties to which the Republic of Moldova is a party.

When the Cadastre is drawn up in electronic format, the information on the objects of the plant kingdom is permanently recorded, with the introduction of changes that have occurred since the initial registration in the passport.

The information is publicly available and is posted on the Environment Agency's website<sup>129</sup>. Data from the Cadastre are used by the Environment Agency to produce 2 indicators:

#### **D4 – Protected species<sup>130</sup>**

#### **D5 – Trends in the number and distribution of selected species<sup>131</sup>**

All data on the livestock population, quality, distribution, evaluation and role of the **animal kingdom** in the Republic of Moldova are collected and managed through the State Cadastre of the animal kingdom, which is maintained in accordance with Government Decision No 1005/2004.<sup>132</sup>

The state register of the animal kingdom is carried out by: Academy of Sciences of Moldova, National Agency for Food Safety, Ministry of Health, Forest Agency "Moldsilva", Environment Agency, Society of Hunters and Fishermen, etc. The information for the Cadastre shall be submitted annually to the Environment Agency by 15 January, based on the generalized data according to the annexes of the Decision. The Cadastre is drawn up for 10 years. The information is accessible to the public and is posted on the Environment Agency's website<sup>133</sup>. Data from the Cadastre are used by the Environment Agency to produce 2 indicators:

#### **D4 – Protected species<sup>134</sup>**

#### **D5 – Trends in the number and distribution of selected species<sup>135</sup>**

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<https://am.gov.md/sites/default/files/document/attachments/Anexa%20nr.%201cadastrul%20regnului%20vegetal.pdf>

<sup>130</sup> <https://am.gov.md/ro/node/426>

<sup>131</sup> <https://am.gov.md/ro/node/427>

<sup>132</sup> [https://www.legis.md/cautare/getResults?doc\\_id=113256&lang=ro](https://www.legis.md/cautare/getResults?doc_id=113256&lang=ro)

<sup>133</sup> <https://am.gov.md/ro/node/590>

<sup>134</sup> <https://am.gov.md/ro/node/426>

<sup>135</sup> <https://am.gov.md/ro/node/427>

Other records and databases managed by the Environment Agency are:

- The Red Book of the Republic of Moldova<sup>136</sup>
- Register of animal and plant collections<sup>137</sup>
- Information on the state of green spaces<sup>138</sup>

### **5) Forestry statistics**

According to Law No. 93/2017 on official statistics<sup>139</sup>, the Forest Agency "Moldsilva" submits to the National Bureau of Statistics by 30 March of each year, relevant data for the subordinated state-owned public forest fund, namely:

- Statistical report on forest culture works;
- Statistical report on the release of timber, forest care and management works, and accessory uses;
- Statistical report on forest fires;
- Statistical report on the hunting activity;
- Statistical report on forest protection.

The data are collected based on reports submitted by the territorial forestry entities under the Forest Agency "Moldsilva". By 31 May each year, the Agency submits to the National Bureau of Statistics the information on the area of forest fund and forests, in correlation with the General Land Cadastre at the beginning of the reference year, approved annually by the Government decision.

Also, based on generalized data, Forest Agency "Moldsilva" produces 4 indicators in the field of forest monitoring:

- Total forest fund area;
- Total forest area;
- Degree of afforestation of the territory;
- Forest health conditions expressed by the degree of defoliation and discoloration of foliage.

These data are presented to the National Bureau of Statistics. Based on the forest inventory data in the Environment Agency produces the indicator:

### **D3 - Forests and covered land.<sup>140</sup>**

### **6) Statistics in field of fisheries**

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<sup>136</sup> <https://www.yumpu.com/en/document/read/63104111/carte-rosie-a-rm-2015>

<sup>137</sup> [https://docs.google.com/document/d/1wzBFJJmyt0G-QWCoCu\\_habkiiVIwAftyFVnhU\\_u7Yyg/edit](https://docs.google.com/document/d/1wzBFJJmyt0G-QWCoCu_habkiiVIwAftyFVnhU_u7Yyg/edit)

<sup>138</sup> <https://am.gov.md/ro/node/589>

<sup>139</sup> [https://www.legis.md/cautare/getResults?doc\\_id=129137&lang=ro](https://www.legis.md/cautare/getResults?doc_id=129137&lang=ro)

<sup>140</sup> <https://am.gov.md/ro/node/425>

Concerning **fisheries monitoring**, it is regulated by Law No. 149/2006 on the fish fund, fisheries, and fish breeding<sup>141</sup>. The law stipulates that, natural and legal persons engaged in commercial fishing in aquaculture fisheries shall keep catch records by species and submit catch reports and catch documentation to the Environmental Protection Inspectorate monthly. For its part, the Environmental Protection Inspectorate keeps records of the hydrobiont fishery, based on data collected from natural and legal persons engaged in commercial fishing. Considering that no commercial fishing activity from natural aquatic basins is practiced in the Republic of Moldova for more than 5 years (a moratorium for commercial fishing is established), the record of catches is not kept.

The Environment Agency, as fisheries regulator, only keeps records of sport, recreational, and agreement fishing permits issued to natural persons.<sup>142</sup>

**16. What are the provisions relating to public participation (information and consultation) in decision making related to the environment?**

The Law on Transparency in Decision-Making No. 239/2008<sup>143</sup> is the framework law designed to establish the basic principles and requirements for information, consultation and participation of the voluntary sector, citizens and other stakeholders in the process of elaboration and adoption of decisions by public authorities.

The normative act regulating the procedures for ensuring transparency in the process of drafting and adopting decisions is Government Decision No. 967/2016 on the mechanism for public consultation with civil society in the decision-making process<sup>144</sup>.

According to paragraph 2 of this Decision, the State Chancellery, ministries, other central administrative authorities and their deconcentrated public services:

- update internal procedures on transparency in decision-making;
- designate those responsible for coordinating the public consultation process with civil society in the decision-making process;
- set up the institutional civil society information hotline.
- draw up, update, and publish a list of organisations by the specific field of activity.

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<sup>141</sup> [https://www.legis.md/cautare/getResults?doc\\_id=130542&lang=ro](https://www.legis.md/cautare/getResults?doc_id=130542&lang=ro)

<sup>142</sup> [https://am.gov.md/sites/default/files/document/attachments/Raport%20statistic%20a%20Permiselor%20de%20pescuit%20sportiv%20-%20anul%202019-2022%202801.01.2022-31.03.2022%29\\_0.pdf](https://am.gov.md/sites/default/files/document/attachments/Raport%20statistic%20a%20Permiselor%20de%20pescuit%20sportiv%20-%20anul%202019-2022%202801.01.2022-31.03.2022%29_0.pdf)

<sup>143</sup> [https://www.legis.md/cautare/getResults?doc\\_id=106638&lang=ro](https://www.legis.md/cautare/getResults?doc_id=106638&lang=ro)

<sup>144</sup> [https://www.legis.md/cautare/getResults?doc\\_id=119856&lang=ro](https://www.legis.md/cautare/getResults?doc_id=119856&lang=ro)

The principle of ensuring transparency, publicity, and accessibility, which clarifies certain aspects regarding the participation of civil society in the elaboration of normative acts and their examination in the consultation/endorsement process, is also regulated by the provisions of Law No.100/2017 on normative acts<sup>145</sup> and Government Decision No.610/2018 on the regulation of government activity<sup>146</sup>.

The procedure for involving the public in the drafting and adoption of environmental decisions is provided in the Government Decision No. 72/2000 approving the regulation on public participation in the drafting and adoption of environmental decisions<sup>147</sup>. The Regulation on public involvement in the elaboration and adoption of environmental decisions was adopted in order to implement the Convention on access to Information, justice and public participation in the adoption of environmental decisions, ratified by the Parliament of the Republic of Moldova Decision No. 346/1999, based on the provisions of the Law on Environmental Protection No.1515/1993.

Specific aspects of public participation in environmental decision-making are also regulated in environmental protection legislation, including the Law No.86/2014 on environmental impact assessment<sup>148</sup> and the Law No. 11/2017 on the strategic environmental assessment<sup>149</sup> (Art. 10) In 2021, the elaboration of the new Regulation on public participation in the environmental decision-making process started.<sup>150</sup> However, the process has been postponed because the procedure of approval and public involvement is not definite for the major environmental decision (environmental permits, environmental administrative acts). So, till the draft Law on approving the Law on modification of the Law on strategic environmental assessment No.11/2017 and of the Law on environmental impact assessment No.86/2014, the draft law on industrial emission will not pass through the decision of the Government it is not reasonable to have a new normative act. The Regulation No. 72/2000 covers the minimum requirements for ensuring public participation in the environmental decision-making process. Currently, the procedures for issuing permissive documents include general legal provisions regarding the involvement of the public, however, it is necessary to detail the mechanism of public participation with a clear determination of the attributions of issuing authorities and the public rights.

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<sup>145</sup> [https://www.legis.md/cautare/getResults?doc\\_id=105607&lang=ro](https://www.legis.md/cautare/getResults?doc_id=105607&lang=ro)

<sup>146</sup> [https://www.legis.md/cautare/getResults?doc\\_id=119333&lang=ro](https://www.legis.md/cautare/getResults?doc_id=119333&lang=ro)

<sup>147</sup> [https://www.legis.md/cautare/getResults?doc\\_id=11496&lang=ro](https://www.legis.md/cautare/getResults?doc_id=11496&lang=ro)

<sup>148</sup> [https://www.legis.md/cautare/getResults?doc\\_id=106006&lang=ro](https://www.legis.md/cautare/getResults?doc_id=106006&lang=ro)

<sup>149</sup> [https://www.legis.md/cautare/getResults?doc\\_id=105551&lang=ro](https://www.legis.md/cautare/getResults?doc_id=105551&lang=ro)

<sup>150</sup> <https://mediu.gov.md/ro/content/anun%C8%9B-cu-privire-la-ini%C8%9Bierea-elabor%C4%83rii-proiectului-regulamentului-cu-privire-la>

**17. Has Moldova ratified the Aarhus Convention on access to information, public participation and access to justice in environmental matters? Please briefly describe the legislative, regulatory and other measures to implement the provisions of the Convention (and its protocols).**

The Republic of Moldova ratified the Aarhus Convention on 7 April 1999, by Parliament Decision No.346/1999 on the ratification of the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters.<sup>151</sup>

Shortly after ratification, the Republic of Moldova made an effort to promote the aspects provided for by the Aarhus Convention by drafting and adopting legislative and regulatory acts. In this respect, the Law on the access to information No. 982/2000<sup>152</sup> was adopted, and some aspects related to public participation in the decision-making process, including environmental issues, were introduced by Law No. 239/2008 on transparency in decision-making<sup>153</sup>. However, more specific aspects of public participation in debates on environmental issues have been incorporated in the Regulation on public participation in the preparation and adoption of environmental decisions, approved by Government Decision No. 72/2000<sup>154</sup>. In 2016, the Government Decision No. 1467/2016 approving the Regulation on public access to environmental information entered into force<sup>155</sup>. After signing the Association Agreement with the EU, the Republic of Moldova assumed obligations to transpose into national legislation the provisions of European acts. The National Action Plan for the implementation of the Moldova–European Union Association Agreement in 2017-2019<sup>156</sup> specified that in order to transpose the provisions of Directive 2003/35/EC of the European Parliament and of the Council of 26 May 2003 providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment and amending with regard to public participation and access to justice, Council Directives 85/337/EEC and 96/61/EC<sup>157</sup>, the Republic of Moldova was to develop and adopt two laws in the field of environmental assessment. This objective has been achieved, and the respective laws (Law No. 86/2014 on Environmental Impact Assessment<sup>158</sup> and Law No. 11/2017 on Strategic Environmental Assessment<sup>159</sup> have been adopted, incorporating regulations on informing the public about planned activities, as well as on how to involve the public in the decision-making process on activities with environmental impact.

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<sup>151</sup> [https://www.legis.md/cautare/getResults?doc\\_id=59140&lang=ro](https://www.legis.md/cautare/getResults?doc_id=59140&lang=ro)

<sup>152</sup> [https://www.legis.md/cautare/getResults?doc\\_id=108552&lang=ro](https://www.legis.md/cautare/getResults?doc_id=108552&lang=ro)

<sup>153</sup> [https://www.legis.md/cautare/getResults?doc\\_id=106638&lang=ro](https://www.legis.md/cautare/getResults?doc_id=106638&lang=ro)

<sup>154</sup> [https://www.legis.md/cautare/getResults?doc\\_id=11496&lang=ro](https://www.legis.md/cautare/getResults?doc_id=11496&lang=ro)

<sup>155</sup> [https://www.legis.md/cautare/getResults?doc\\_id=97333&lang=ro](https://www.legis.md/cautare/getResults?doc_id=97333&lang=ro)

<sup>156</sup> [https://mf.gov.md/sites/default/files/documente%20relevante/pnaaa\\_2017-2019.pdf](https://mf.gov.md/sites/default/files/documente%20relevante/pnaaa_2017-2019.pdf)

<sup>157</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32003L0035>

<sup>158</sup> [https://www.legis.md/cautare/getResults?doc\\_id=106006&lang=ro](https://www.legis.md/cautare/getResults?doc_id=106006&lang=ro)

<sup>159</sup> [https://www.legis.md/cautare/getResults?doc\\_id=105551&lang=ro](https://www.legis.md/cautare/getResults?doc_id=105551&lang=ro)



**18. Has Moldova ratified the Protocol on Pollutant Release and Transfer Registers (PRTRs) and the Almaty amendment to the Convention on genetically modified organisms? If not, what is the planned timeline for these ratifications?**

The Republic of Moldova ratified the Protocol on the Pollutant Release and Transfer Registers (PRTR) by Law No. 99/2013 on ratification of the Protocol on the Pollutant Release and Transfer Registers to the Convention regarding the access to information, justice, and public participation in the adoption of environmental decisions.<sup>160</sup>

Government Decision No. 373/2018 approved the Regulation at the national level of the National Pollutant Release and Transfer Register.<sup>161</sup> At this moment PRTR is a functional Information System “National Pollutant Release and Transfer Register” (IS PRTR)<sup>162</sup>, located at MCloud Governmental Platform [www.retp.gov.md](http://www.retp.gov.md) and managed by the Environmental Agency.

The PRTR Regulation establishes the register at the country level in the form of an electronic database accessible to the public. It lays down the rules for its operation to implement the UNECE Protocol on Pollutant Release and Transfer Registers, facilitate public participation in environmental decision-making, and contribute to the prevention and reduction of pollution of the environment.

The IS PRTR contains systematized data on emissions of pollutants into the air, water, soil, and diffuse sources, as well as off-site transfers of waste and pollutants in wastewater, reported by the industrial operators carrying out one or more activities.

The Republic of Moldova has accepted the Amendment to the Convention on access to information, justice, and public participation in the adoption of decisions in the field of environment, adopted in Almaty on May 27, 2005, through approving by the Parliament of the Law No. 236/2007 on acceptance of the Amendment to the Convention on access to information, justice, and public participation in the adoption of decisions in the field of the environment.<sup>163</sup>

In May 2022, the Parliament of Republic of Moldova approved in first lecture the draft Law on regulation and control of the genetically modified organisms<sup>164</sup>, which provides rules and conditions of public consultation and information regarding the decision on activities with genetically modified organisms.

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<sup>160</sup> [https://www.legis.md/cautare/getResults?doc\\_id=22250&lang=ro](https://www.legis.md/cautare/getResults?doc_id=22250&lang=ro)

<sup>161</sup> [https://www.legis.md/cautare/getResults?doc\\_id=122933&lang=ro](https://www.legis.md/cautare/getResults?doc_id=122933&lang=ro)

<sup>162</sup> <http://www.retp.gov.md/>

<sup>163</sup> [https://www.legis.md/cautare/getResults?doc\\_id=3376&lang=ro](https://www.legis.md/cautare/getResults?doc_id=3376&lang=ro)

<sup>164</sup> <https://www.parlament.md/ProcesulLegislativ/Proiectedeactelegislative/tabid/61/LegislativId/5978/language/ru-RU/Default.aspx>

**19. Has Moldova ratified the Espoo Convention on environmental impact assessment in a transboundary context, and, if so, how does it ensure that transboundary consultation is carried out? If not, what is the planned timeline for this ratification?**

The Republic of Moldova became a Party to the Convention on Environmental Impact Assessment in a Transboundary Context<sup>165</sup> (Espoo, 25.02.1991) by Parliament Decision No. 1546/1993 for the accession of the Republic of Moldova to some conventions in the field of environmental protection<sup>166</sup>.

Following the accession of the Espoo Convention at the national level was adopted Law No. 86/2014 on environmental impact assessment<sup>167</sup> which transposes Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment.

In order to improve the environmental impact assessment procedure in the Republic of Moldova, the national regulatory framework for environmental impact assessment was subject to a review and adjustment procedure in line with the new provisions of the EU Directives. Therefore, in 2021 was initiated the process of amending the Law No. 86/2014 on environmental impact assessment. The amendments made to Law No 86/2014<sup>168</sup> are focused on the transposition into national legislation of the provisions of Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment.

It should be noted that Law No. 86/2014 transposes Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (as per Annex XI of the Moldova-EU Association Agreement), but in order to ensure the gradual transposition of the EU Directives into national legislation and the fulfillment of the commitments under the Energy Community Treaty, the new provisions of Directive 2014/52/EU amending Directive 2011/92/EU have been introduced into national legislation in the field of EIA. The foreseen deadline for adoption of the draft Law amending the existing EIA Law No. 86/2014 is scheduled in July 2022.

The Chapter IV and Chapter V of the Law No. 86/2014 regulates the procedure of environmental impact assessment in transboundary context for the Party of origin and the affected Party. The transboundary consultation procedure is regulated by Articles 11, 13, 14 and 18 of the Law No. 86/2014 on EIM. According to the EIA, Law No. 86/2014, the competent authorities of the parties shall jointly conduct

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<sup>165</sup> [https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XXVII-4&chapter=27&clang=en](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXVII-4&chapter=27&clang=en)

<sup>166</sup> [https://www.legis.md/cautare/getResults?doc\\_id=60375&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=60375&lang=ro#)

<sup>167</sup> [https://www.legis.md/cautare/getResults?doc\\_id=106006&lang=ro](https://www.legis.md/cautare/getResults?doc_id=106006&lang=ro)

<sup>168</sup> <https://particip.gov.md/ro/document/stages/anunt-privind-organizarea-consultarii-publice-asupra-proiectului-de-hotarare-privind-aprobarea-proiectului-de-lege-pentru-modificarea-unor-acte-normative-numar-unic-68mm2022/8916>

consultations at different stages of the EIA procedure. Consultations shall be conducted around the potential transboundary impact of the planned activity, measures for reducing or eliminating the negative impact of the latter, methods for ensuring public information and conducting public debates. The competent authorities of the parties shall jointly examine other relevant aspects of the planned activity and EIA procedure. The competent authorities of the parties shall agree upon the composition of participants in the consultations, as well as upon the timeframes, venue, and form of conducting consultations. Consultations can be organized in the form of:

- a) joint committees;
- b) expert meetings;
- c) videoconferences, information exchanges by e-mail or official letters;
- d) meetings of middle and/or high ranking officials.

Public debates shall be conducted, for each separate case, on the territory of the party of origin, within the territorial-administrative boundaries of the locality/localities where the planned activity is to be carried out, with the participation of the affected party, in accordance with bilateral agreements or upon joint decision of the parties on unfolding public debates. Consultations and public debates shall be conducted before approving the environmental permit. Following the internal coordination of EIA documentation, which shall include public debates and consultation conclusions, taking into account the opinion of the affected Party, the Environmental Agency shall approve a decision on issuing the environmental permit.

**20. Has Moldova ratified the Protocol on Strategic Environmental Assessment to the Convention on Environmental Impact Assessment in a Transboundary Context? If not, what is the planned timeline for this ratification?**

The Republic of Moldova signed the Protocol on Strategic Environmental Assessment to the Convention on Environmental Impact Assessment in a Transboundary Context at the Extraordinary Meeting of the Parties to the Espoo Convention in Kiev (Ukraine) on 21 May 2003<sup>169</sup> and ratified it by Law No. 156/2018<sup>170</sup> on the ratification of the Protocol on Strategic Environmental Assessment to the Convention on Environmental Impact Assessment in a Transboundary Context.

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<sup>169</sup>[https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XXVII-4-b&chapter=27&clang=en](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXVII-4-b&chapter=27&clang=en)

<sup>170</sup> [https://www.legis.md/cautare/getResults?doc\\_id=105513&lang=ro](https://www.legis.md/cautare/getResults?doc_id=105513&lang=ro)

To implement the commitments under the Protocol on Strategic Environmental Assessment, the Law No. 11/2017 on Strategic Environmental Assessment<sup>171</sup> was adopted. Law No. 11/2017<sup>172</sup> transposes the Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment and creates the mechanism for implementing the provisions of the Protocol on Strategic Environmental Assessment to the Convention on Environmental Impact Assessment in a Transboundary Context. The purpose of this Law is to establish a legal framework for carrying out strategic environmental assessment of strategies, programs and plans in order to ensure a high level of environmental protection and to prevent or mitigate the negative effects of strategies, plans and programmes on the environment, also on the health of the population. The subject of the strategic environmental assessment shall be the draft strategies, plans and programmes elaborated at national and local level. SEA is carried out to assess the impact on the environment in the Republic of Moldova or in neighboring countries, if appropriate. The competent authorities for SEA procedure (Ministry of Environment or Environmental Agency) depend on the hierarchical level of the policy and planning document:

- for national policy and planning documents, including sector and transboundary ones, approved by the Government or Parliament - Ministry of the Environment;
- for local policy and planning documents approved by the local public administration- Environmental Agency.

After evaluating the implementation of Law No.11/2017, it was decided to conduct several modifications to ensure efficiency and a more straightforward approach to enforcement. The draft Law on modification the Law No.11/2017 is in the final step of endorsing before presenting to the Government for approval. Promoting modification is conducting parallel with the modification of Law No. 86/2014 on EIM, which is expected to be finalized in one month. More information is under Question 19.

**21. Are there provisions ensuring that projects with significant effects on the environment are subject to an environmental impact assessment before they are authorised? Which projects are covered by this legislation? What are the main steps of the national procedure for environmental impact assessment of projects? What environmental considerations are taken into account in this procedure?**

<sup>171</sup> [https://www.legis.md/cautare/getResults?doc\\_id=105551&lang=ro](https://www.legis.md/cautare/getResults?doc_id=105551&lang=ro)

<sup>172</sup> <https://particip.gov.md/ro/document/stages/anunt-privind-organizarea-consultarii-publice-asupra-proiectului-de-hotarare-privind-aprobarea-proiectului-de-lege-pentru-modificarea-unor-acte-normative-numar-unic-https://particip.gov.md/ro/document/stages/anunt-privind-organizarea-consultarii-publice-asupra-proiectului-de-hotarare-privind-aprobarea-proiectului-de-lege-pentru-modificarea-unor-acte-normative-numar-unic-68mm2022/8916>

In the Republic of Moldova there are legal provisions to ensure that projects with significant environmental effects are subject to an environmental impact assessment prior to authorization. The legal act which regulates the environmental impact assessment procedure is the Law No. 86/2014 on environmental impact assessment.

The purpose of the Law No. 86/2014 on EIA is to establish a legal framework for the functioning of the mechanism for assessing the environmental impact of certain public and private projects or types of planned activities, in order to ensure the prevention or minimization, at the initial stages, of negative impacts on the environment and the health of the population. Therefore, not only has the scope of EIA been extended, but the procedures and modalities for the application of EIA have been established.

Subsequently, in order to provide the methodological framework for carrying out the EIA process of public or private projects both at the national level and in the transboundary context, was approved the Guide on the execution of the EIA procedures (approved by the Order of the Minister of Environment No.1 of 04.01.2019)<sup>173</sup>.

The projects that are or may be subject to EIA are similar to those provided in the Annex No. 2 of Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment. These projects are listed in the Annex No. 1 and Annex No. 2 of the Law No. 86/2014 on EIA<sup>174</sup>. Annex No. 1 of the Law includes the list of planned activities subject to mandatory environmental impact assessment. Annex No. 2 includes the list of planned activities for which the need for environmental impact assessment must be established case by case.

The main steps of the national procedure for environmental impact assessment of projects are:

- Screening. Deciding if an environmental impact assessment is required (with the exception of projects listed in Annex 1 for which EIA is mandatory);
- Scoping. Deciding what needs to be covered in the assessment and reported in the "EIA Report";
- Development of the EIA Report.
- Public Hearing/Consultation;
- Quality review stage of the environmental impact report;
- Development consent of the planned activity
- Monitoring.

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<sup>173</sup> [https://www.legis.md/cautare/getResults?doc\\_id=113172&lang=ro](https://www.legis.md/cautare/getResults?doc_id=113172&lang=ro)

<sup>174</sup> [https://www.legis.md/cautare/getResults?doc\\_id=106006&lang=ro](https://www.legis.md/cautare/getResults?doc_id=106006&lang=ro)

Environmental considerations taken into account in the EIA procedure (Art. 4 of Law No. 86/2014 on EIA). According to the draft Law amending EIA Law no. 86/2014, Art. 4 is amended in accordance with article 3 of the Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment in order to list the factors that can be affected significant directly or indirectly by some projects.

**22. Please briefly describe the activities in which Moldova takes part under the framework of the European Environment Agency and Eionet.**

Following the participation in the 7th Ministerial Conference „*Environment for Europe*” that took place in Astana (September 2011) and during the 8th Ministerial Conference in Batumi, Georgia (8-10 June 2016), Republic of Moldova committed to contribute to the development of **improved environmental Information system** for Pan-European region, based on Shared Environmental Information System principle and coordinated by European Environmental Agency (EEA) through European Environment Information and Observation Network EIONET in order to ensure the quality, accessibility and sharing of environmental information at both national and regional level.

First collaborative relationships with EEA have been initiated by the Ministry of Environment of Moldova as focal point, in 2010 when with support of UNECE have been implemented the project ENPI-SEIS Towards a Shared Environmental Information System (SEIS) in the European Neighborhood” financed by EU, where the basis for air, climate, waste, water quality and biodiversity SEIS have been initiated.

In the second part of the project InSEIS, have been developed the first National Report on State of the Environment in Republic of Moldova 2011-2014 (SOER 1), based on 6 indicators of UNECE and on EEA methodology, report that have been presented in 2016 during the Batumi Ministerial Conference. Also, support in strengthening the capacities of environmental institutions in the Republic of Moldova in the field of data management and information exchange have been provided.

After the creation in 2018 of the Environmental Agency in Moldova (EAM), through Governmental Decision No. 549/2018, the functions for further cooperation with EEA has been delegated to the Agency, including the exercise of the national focal point mandate. Also, having the function of monitoring the quality of the environment and producing data on the state and quality of the environment, the EAM also initiated the cooperation activity within the European Information and Observation Network EIONET, periodically delivering to the EEA data sets on the environmental indicators developed and monitored in the

Republic of Moldova included in the Reports on the state of the environment in accordance with European standards.

In 2019, together with the support of the EEA, UNECE and UNEP in the Republic of Moldova, the 3rd phase of the project "ENI SEIS II East - implementation of the principles of the Shared Environmental Information System" was implemented (funded by EU), in which actions have been implemented to streamline the process of data collection, reporting and regular environmental assessment, based on the set of environmental indicators, developed according to international standards and formats and agreed by the Joint Working Group on Environmental Indicators and Statistics of the UNECE Environmental Policy Committee, as well and the preparation of the Second National Report on the State of the Environment in the Republic of Moldova 2015-2018, (SOER 2)<sup>175</sup> based on 39 UNECE indicators.

With the support of the project, the EEA organized trainings for the officials of the EAM in the field of elaboration of the National Report on the state of the environment, on integration of environmental assessment, environmental economic accounts, efficient exchange of environmental information, communication, air quality monitoring, preparation of Reports to the Berne Convention etc. Also, the draft Roadmap on open environmental data in the Republic of Moldova was developed and consulted during the round table on open environmental data and E-Government, at the regional level.

Through the EEA, the Raven Information System - an open-source software developed by the Norwegian Air Research Institute, was provided to EAM, which allows data transfer, e-reporting and structured visualization of pollutant values in real time on the EU platform.

The Automated Information System (AIS) is hosted on the Mcloud government platform and will be operational with the installation of automated air quality monitoring stations starting with 2024.

At the request of the EEA, the EAM has examined, completed and coordinated the following documents:

- - Report for International Comparison of Air Protection in Moldova <sup>176</sup>
- - National report on the maturity of open data in the Republic of Moldova, prepared by PricewaterhouseCoopers<sup>177</sup>.

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<sup>175</sup> <https://drive.google.com/file/d/1YD6esULO-JNJGhTmN1P8U2Ft228B8hGH/view>

<sup>176</sup> [https://eni-seis.eionet.europa.eu/east/governance/project-documents/RepMoldova\\_Country\\_Final\\_MIH\\_v2cleaned.pdf](https://eni-seis.eionet.europa.eu/east/governance/project-documents/RepMoldova_Country_Final_MIH_v2cleaned.pdf)

<sup>177</sup> <https://unece.org/sites/default/files/2021-03/Moldova%20Country%20Maturity%20Report%20EN.pdf>

**23. What is the legal framework for prevention and remediation of environmental damage (beyond civil liability in cases such environmental damage affects human health and property)? What is the common standard of liability when it comes to damage caused to the environment (strict or fault based)?**

The legal framework for the prevention and remediation of environmental damage consists of the following acts:

*Constitution of the Republic of Moldova*<sup>178</sup>, which according to *Article 37*, guarantees every person the right to an environmentally friendly environment safe for life and health, as well as to harmless food and household items;

*Law No. 1515/1993 on the environmental protection*<sup>179</sup>, *Article 2* (general principles on environmental protection) and *Article 31* (obligations of general population, including recovery of environmental damage), *Article 32* on obligations of legal persons (obligations related to application of non-pollutant practices, EIA, pollution prevention and damage remediation);

*Law No. 86/2014 regarding the environmental impact assessment*<sup>180</sup>, that stipulates legal framework for the functioning of the EIA mechanism for public and private projects or planned activities, in order to ensure the prevention or minimization, at the initial stages, of the negative impact on the environment and public health. It is necessary to mention that this Law is in the process of amendment and the draft law amending the Law No. 86/2014 aims to include broader issues of efficient and sustainable use of resources, assessment of significant adverse effects of projects on biological diversity in order to avoid any deterioration of environmental quality and any net loss of biodiversity, as well as assessment of the impact of projects on climate (e.g. greenhouse gas emissions) and their vulnerability to climate change. The amendments to Law No. 86/2014 focus also on the strengthening the quality of the EIA process by introducing changes related to: a) quality control of EIA report; b) mandatory assessment of reasonable alternatives, justification of final decisions and mandatory post-EIA monitoring of significant adverse effects; c) adaptation of EIA to challenges (i.e. biodiversity, climate change, disaster risks, availability of natural resources); d) clarification of the existing criteria used for the selection of projects listed in Annex 2 by revising them and including additional criteria (mainly related to emerging environmental issues), ect.

*Law No. 851/1996 on ecological expertise*<sup>181</sup> sets purpose of the state ecological expertise is to adopt reasoned decisions and to approve the acts that foresee the use of the natural resources and measures of protection of the environment and its components; preventing or minimizing the possible direct, indirect or cumulative

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<sup>178</sup> Constitution of RM no. 1/1994 [https://www.legis.md/cautare/getResults?doc\\_id=111918&lang=ro](https://www.legis.md/cautare/getResults?doc_id=111918&lang=ro)

<sup>179</sup> Law on environmental protection no. 1515/1993  
[https://www.legis.md/cautare/getResults?doc\\_id=112032&lang=ro](https://www.legis.md/cautare/getResults?doc_id=112032&lang=ro)

<sup>180</sup> Law on EIA no. 86/2014 [https://www.legis.md/cautare/getResults?doc\\_id=106006&lang=ro](https://www.legis.md/cautare/getResults?doc_id=106006&lang=ro)

<sup>181</sup> Law on ecological expertise [https://www.legis.md/cautare/getResults?doc\\_id=109128&lang=ro](https://www.legis.md/cautare/getResults?doc_id=109128&lang=ro)



impact of the objects and economic activities expected on the environment, its components, ecosystems and the health of the population; maintaining the ecological balance, genetic background and biodiversity, creating optimal living conditions for people; correlating socio-economic development with ecosystem capabilities. *Present law will be repealed with the new addendums to Law on EIA no. 86/2014*<sup>182</sup>.

*Law No. 11/2017 on strategic environmental assessment*<sup>183</sup> sets the legal framework for conducting SEA in order to ensure a high level of environmental protection, to prevent or reduce the negative effects of plans and programs on the environment, including the health of the population. The object of SEA are the draft plans and programs developed at national and local level, which may have a significant impact on the environment in the Republic of Moldova or in other states. Law No.156/2018 for the ratification of the Protocol on Strategic Environmental Assessment to the Convention on Environmental Impact Assessment in a Transboundary Context, signed in Kyiv on May 21, 2003<sup>184</sup>.

The common standard that establishes liability when it comes to damage caused to the environment, regardless of the form of fault, is included under *Chapter IX Liability for violation of legislation. Environmental dispute resolution (Articles 89-94)* of Law No. 1515/1993 on the environmental protection.

In the field of environmental damage assessment, is applicable the Law No.1540/1998 on payment for environmental pollution<sup>185</sup>, which sets out how environmental pollution charges are calculated. Also, since 2003, a number of instructions/methodologies have been adopted in the Republic of Moldova, which partly provide for the method of assessing the damage caused to various components of the environment. In this respect, in 2003 was approved the methodology for the assessment of environmental damage caused by violation of water legislation<sup>186</sup>, then in 2004 the Instruction on the assessment of atmospheric air damage caused by pollution from stationary sources<sup>187</sup>, the Instruction on the assessment of damage to soil resources<sup>188</sup>, Instruction on the assessment of damage to fishery resources in the water basins of the Republic of Moldova<sup>189</sup>, Instruction on the assessment of damage to atmospheric air from the management of industrial and household waste<sup>190</sup>, Instruction on the amount of payment for damage to green areas of urban and rural localities<sup>191</sup>.

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<sup>182</sup> [Anunt privind organizarea consultării publice asupra proiectului de hotărâre privind aprobarea proiectului de lege pentru modificarea unor acte normative \(număr unic 68/MM/2022\) | Particip.gov.md](#)

<sup>183</sup> Law on SEA no. 11/2017 [https://www.legis.md/cautare/getResults?doc\\_id=98607&lang=ro](https://www.legis.md/cautare/getResults?doc_id=98607&lang=ro)

<sup>184</sup> [https://www.legis.md/cautare/getResults?doc\\_id=105513&lang=ro](https://www.legis.md/cautare/getResults?doc_id=105513&lang=ro)

<sup>185</sup> [https://www.legis.md/cautare/getResults?doc\\_id=125113&lang=ro](https://www.legis.md/cautare/getResults?doc_id=125113&lang=ro)

<sup>186</sup> <https://www.legis.md/cautare/downloadpdf/12034>

<sup>187</sup> [https://www.legis.md/cautare/getResults?doc\\_id=40298&lang=ro](https://www.legis.md/cautare/getResults?doc_id=40298&lang=ro)

<sup>188</sup> [https://www.legis.md/cautare/getResults?doc\\_id=39606&lang=ro](https://www.legis.md/cautare/getResults?doc_id=39606&lang=ro)

<sup>189</sup> <https://www.legis.md/cautare/downloadpdf/79938>

<sup>190</sup> [https://www.legis.md/cautare/getResults?doc\\_id=49818&lang=ro](https://www.legis.md/cautare/getResults?doc_id=49818&lang=ro)

<sup>191</sup> [https://www.legis.md/cautare/getResults?doc\\_id=10658&lang=ro](https://www.legis.md/cautare/getResults?doc_id=10658&lang=ro)

In addition to all these instructions and methodologies for the assessment of different categories of damage, damage to environmental components not included in the listed instructions is assessed according to the laws governing their protection. For example, the method of assessing damage to animal resources is determined on the basis of the annexes to the Law No. 439/1995 on animal kingdom<sup>192</sup>, which contain the fees to be charged to the natural and legal persons responsible for repairing this category of damage. The method of assessing damage to forest resources is provided in the annex to the Forestry Code No. 887/1996<sup>193</sup> that includes the rates for calculating the amount of compensation for damage caused by injury to trees and shrubs according to their functional category.

**24. What is the legal framework on detection, prosecution and sanctioning of breaches of environmental law? What type of offences can be addressed by criminal law and what criminal sanctions are available against natural and legal persons? Please describe briefly the relevant system in place.**

The mode of detecting, prosecuting and sanctioning of breaches of environmental legislation are provided by the following normative acts - Contravention Code No. 218/2008<sup>194</sup>, Criminal Code of the Republic of Moldova No. 985/2002<sup>195</sup> and the Code of Criminal Procedure No. 122/2003<sup>196</sup>. Depending on the gravity of the act, the violations of the environmental legislation fall under the incidence of either the Contravention Code or the Criminal Code.

*Chapter IX of the Criminal Code, entitled Environmental Crimes, contains 13 dedicated articles (art. 223 - art. 235) that regulate socially dangerous acts that constitute crimes that affect / threaten social relations regarding environmental protection, namely:*

*Article 223. Violation of environmental safety requirements;*

*Article 224. Violation of Rules on the Circulation of Radioactive, Bacteriological or Toxic Substances, Materials, and Waste;*

*Article 225. Concealment or Deliberate Submission of Inauthentic Data on Environment Pollution;*

*Article 226. Failure to Perform Obligations to Eliminate Consequences of Ecological Violations;*

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<sup>192</sup> [https://www.legis.md/cautare/getResults?doc\\_id=87631&lang=ro](https://www.legis.md/cautare/getResults?doc_id=87631&lang=ro)

<sup>193</sup> [https://www.legis.md/cautare/getResults?doc\\_id=118482&lang=ro](https://www.legis.md/cautare/getResults?doc_id=118482&lang=ro)

<sup>194</sup> Contraventional code of RM [https://www.legis.md/cautare/getResults?doc\\_id=125094&lang=ro](https://www.legis.md/cautare/getResults?doc_id=125094&lang=ro)

<sup>195</sup> Criminal Code [https://www.legis.md/cautare/getResults?doc\\_id=121991&lang=ro](https://www.legis.md/cautare/getResults?doc_id=121991&lang=ro)

<sup>196</sup> Criminal procedure code [https://www.legis.md/cautare/getResults?doc\\_id=110260&lang=ro](https://www.legis.md/cautare/getResults?doc_id=110260&lang=ro)

*Article 227. Soil Pollution*

*Article 228. Violation of Subsoil Protection Requirements*

*Article 229. Water Pollution*

*Article 230. Air Pollution*

*Article 231. Illegal Cutting of Forest Vegetation*

*Article 232. Destroying or Damaging Woodlands*

*Article 233. Illegal Hunting*

*Article 234. Illegal Fishing, Hunting or Other Exploitation of Waters*

*Article 235. Violation of the Administrative and Protective Regime Applied to the Fund of Natural Areas Protected by State*

Criminal sanctions are measures of state coercion and means of correcting and re-educating criminals that are applied by the courts, in the name of the law, to persons who have committed crimes.

Penalties that may be applied **to natural persons** who have committed environmental crimes:

- *a fine*, (set in conventional units, that is equal to 50 lei). For environmental crimes, individuals are fined a minimum of 550, a maximum of up to 1350 lei.
- *deprivation of the right to hold certain positions or to exercise a certain activity*;
- *unpaid work* for the benefit of the community;
- *imprisonment*; (from a minimum of 2 years, up to a maximum of 10 years for environmental crimes).
- The following penalties may be applied **to legal persons**:
  - *a fine*;
  - *deprivation of the right to exercise a certain activity*;
  - *liquidation*.

The fine is imposed as the main punishment. The maximum fine for environmental crimes for legal persons is from 1500 to 11 000 conventional units.

The deprivation of the legal person of the right to exercise a certain activity and its liquidation are applied both as main punishments and as complementary punishments.

It is necessary to mention that the new draft of the *Chapter IX of the Criminal Code* was developed in partnership between the Prosecutor Office, Ministry of

Environment, NGOs and academia and was proposed for discussion and promotion to the Ministry of Justice. Is expected that till the end of 2022 the new provisions will be approved.

**25. Regarding spatial data, what are the legislation, implementing capacity and infrastructure developed in line with the INSPIRE directive? Are spatial datasets shared between public authorities and with the public? What arrangements are in place to make such data accessible, user-friendly, comparable, interoperable?**

*Law No. 254/2016 on the national spatial data infrastructure*<sup>197</sup> which transposes Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE) and lays down the general norms regarding the establishment of the national spatial data infrastructure in the Republic of Moldova; spatial data management through the geoportal of the national spatial data infrastructure; lays down spatial data standards and removes political restrictions on geoinformation necessary for the implementation of Community environmental policies; as well as policies and activities with an impact on the environment.

The law also establishes the necessary measures for the sharing of data in the digital format and the integration of the national infrastructure into the European spatial data infrastructure. The law designates as the authority responsible for the implementation of the state policy on the national spatial data infrastructure - the authority in the field of land relations and cadastre. It ensures the activity of the *National Spatial Infrastructure Council*, that creates and manages the national spatial data infrastructure geoportal, ensures the compatibility of the national spatial data infrastructure geoportal with the Community geoportal, ensures the development and updating of the national spatial data infrastructure.

*Government Decision No. 458/2017*<sup>198</sup> established the responsibilities of the public entities regarding the spatial data sets required to participate in the set up and promotion of the national spatial data infrastructure by granting access to the spatial data sets and services held, as well as by ensuring their description. The *Government Decision No. 459/2017*<sup>199</sup> the *National Spatial Infrastructure Council* was created and the Regulation on its organization and functioning was approved - as an advisory body in the process of implementing the national spatial data infrastructure development policy.

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<sup>197</sup> [https://www.legis.md/cautare/getResults?doc\\_id=130329&lang=ro](https://www.legis.md/cautare/getResults?doc_id=130329&lang=ro)

<sup>198</sup> [https://www.legis.md/cautare/getResults?doc\\_id=114061&lang=ro](https://www.legis.md/cautare/getResults?doc_id=114061&lang=ro)

<sup>199</sup> [https://www.legis.md/cautare/getResults?doc\\_id=114062&lang=ro](https://www.legis.md/cautare/getResults?doc_id=114062&lang=ro)

Land Relations and Cadaster Agency<sup>200</sup>, as coordinating authority for the implementation of the national spatial data infrastructure, has created two working groups, **one** established through the Order No. 66/2017<sup>201</sup> responsible for legal aspects (spatial data sharing and related services agreements, interoperability of spatial data sets and services and their harmonization, business models, as well as the development of the business plan for the implementation of the national spatial data infrastructure) and **the second one**, created through the Order No. 67/2017<sup>202</sup>, responsible for the technical aspects of the implementation of the national spatial data infrastructure (standards for spatial data, network services, thematic geoportals, databases, metadata, harmonization of spatial data and interoperability with the services of the eGovernment Agency). Other 4 normative acts approved in the field are:

- Regulation on the rules for the creation of network services and the deadline for their implementation, approved by Government Decision No. 377/2017<sup>203</sup>;
- Regulation on the rules for creating and updating metadata for spatial data sets and services, approved by Government Decision No. 738/2017<sup>204</sup>;
- Regulation on the rules for sharing spatial data sets and related services between public entities and third parties, approved by Government Decision No. 254/2018<sup>205</sup>;
- Regulation on the implementing rules establishing the technical modalities for interoperability and harmonization of spatial data sets and services, as well as the implementation deadline, approved by Government Decision No. 683/2018<sup>206</sup>.

By *Government Decision No. 212/2022*, the Concept of the state geographic information system “Thematic geoportal for spatial data of the Agency for Land Relations and Cadaster” was approved, following the implementation of which spatial data and thematic geoportal attributions are to be migrated from (<https://geoportal.md>) at the thematic geoportal for spatial data (<https://moldova-map.md>) of the Land Relations and Cadaster Agency, assigning the domain to the thematic geoportal <https://geodata.gov.md>.

<http://geoportalinds.gov.md>

According to the Agreement of technical-scientific collaboration between the Agency for Land Relations and Cadaster and the Institute of Pedology, Agrochemistry and Soil Protection "Nicolae Dima", the following digital maps were transmitted to the National Geospatial Data Fund (<https://ipaps.md/maps>):

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<sup>200</sup> [https://www.legis.md/cautare/getResults?doc\\_id=109972&lang=ro](https://www.legis.md/cautare/getResults?doc_id=109972&lang=ro)

<sup>201</sup> [https://www.legis.md/cautare/getResults?doc\\_id=120940&lang=ro](https://www.legis.md/cautare/getResults?doc_id=120940&lang=ro)

<sup>202</sup> [https://www.legis.md/cautare/getResults?doc\\_id=120942&lang=ro](https://www.legis.md/cautare/getResults?doc_id=120942&lang=ro)

<sup>203</sup> [https://www.legis.md/cautare/getResults?doc\\_id=101887&lang=ro](https://www.legis.md/cautare/getResults?doc_id=101887&lang=ro)

<sup>204</sup> [https://www.legis.md/cautare/getResults?doc\\_id=101889&lang=ro](https://www.legis.md/cautare/getResults?doc_id=101889&lang=ro)

<sup>205</sup> [https://www.legis.md/cautare/getResults?doc\\_id=102213&lang=ro](https://www.legis.md/cautare/getResults?doc_id=102213&lang=ro)

<sup>206</sup> [https://www.legis.md/cautare/getResults?doc\\_id=108815&lang=ro](https://www.legis.md/cautare/getResults?doc_id=108815&lang=ro)

- Pedoclimatic zones;
- Soil types;
- Soil subtypes;
- Soil texture;
- Soil erosion.

Within the ENI SEIS II East project, a project component was dedicated to updating the land use and cover data set using the CORINE Land Cover (CLC) methodology for the reference year 2018, as a pilot project implemented by the Land Relations and Cadastre Agency for Chisinau municipality. This is a harmonized classification system at European level that aims to provide information in the form of spatial data and digital vector maps of actual land use and land cover.

The European Environment Agency organized several trainings, with the participation of experts from the European Center for Urbanism (ETC-ULS), in partnership with the Copernicus Program (EU Earth observation and monitoring program) and hosted by the Agency for Land Relations and Cadastre<sup>207</sup>.

*Law No. 142/2018 on data exchange and interoperability*<sup>208</sup> regulates the relations that appear in the process of data exchange between public authorities and institutions, which hold state information systems, as well as between legal persons under private law which, on behalf of public authorities and institutions, manage or hold state information systems.

**Open data portal -** <http://date.gov.md>

**Environmental data sets can be found on:**

<http://date.gov.md>

<https://moldova-map.md/#/>

<https://www.am.gov.md/ro/content/indicatori-de-mediu>

<http://statistica.md>

**Natural Resources Datasets**

<https://am.gov.md/ro/content/monitorigul-resurselor-naturale>

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<sup>207</sup> <https://am.gov.md/ro/content/setul-de-date-corine-land-cover-clc2018-%E2%80%93-acoperirea-terenurilor>

<sup>208</sup> [https://www.legis.md/cautare/getResults?doc\\_id=129134&lang=ro](https://www.legis.md/cautare/getResults?doc_id=129134&lang=ro)

## B. Air Quality

**26. Does Moldova legislation set air quality limit values or target values exist for concentration levels of specific atmospheric pollutants emissions and concentrations? If so, for which pollutants and what are these values?**

*The Law on Atmospheric Air Quality*<sup>209</sup>, approved by the Parliament of the Republic of Moldova on 14 April 2022 transposes the Directive 2008/50/EC on ambient air quality and cleaner air for Europe and the Directive 2004/107/EC on arsenic, cadmium, mercury, nickel, and polycyclic aromatic hydrocarbons in ambient air.

Annex 2 of the Law on Atmospheric Air Quality sets the standards for atmospheric air quality:

*Part I. Suspended particles (PM10 and PM2.5), sets limit/target values for one (1) day and one (1) calendar year for PM10 and PM2.5.*

*Part II. Nitrogen dioxide (NO2) and nitrogen oxides (NOX) sets the limit value for 1 hour and one (1) calendar year for NO2 and NOX.*

*Part III. Sulfur dioxide (SO2) sets the limit value for 1 hour, 1 day, and 1 calendar year for SO2.*

*Part IV. Air quality standards for carbon monoxide (CO), toxic metals, benzene (C6H6), and benzo (a) pyrene (BaP) sets the limit value for carbon monoxide, benzene, lead, and the target value for Arsenic, Cadmium, Nickel, BaP.*

*Part V. Ozone (O3), set Ozone target value (8-hour daily average).*

### 1.Sulphur dioxide

Assessment threshold	Health protection	Protection of vegetation
Upper assessment threshold	60 % of 24-hour limit value (75 µg/m <sup>3</sup> , not to be exceeded more than 3 times in any calendar year)	60 % of winter critical level (12 µg/m <sup>3</sup> )
Lower assessment threshold	40 % of 24-hour limit value (50 µg/m <sup>3</sup> , not to be exceeded more than 3 times in any calendar year)	40 % of winter critical level (8 µg/m <sup>3</sup> )

<sup>209</sup>[www.parlament.md/ProcesulLegislativ/Proiectedeactelegislative/tabid/61/LegislativId/5361/language/ro-RO/Default.aspx](http://www.parlament.md/ProcesulLegislativ/Proiectedeactelegislative/tabid/61/LegislativId/5361/language/ro-RO/Default.aspx)

## 2.Nitrogen dioxide and oxides of nitrogen

Assessment threshold	Hourly limit value for the protection of human health (NO <sub>2</sub> )	Annual limit value for the protection of human health (NO <sub>2</sub> )	Annual critical level for the protection of vegetation and natural ecosystems (NO <sub>x</sub> )
Upper assessment threshold	70 % of limit value (140 µg/m <sup>3</sup> , not to be exceeded more than 18 times in any calendar year)	80 % of limit value (32 µg/m <sup>3</sup> )	80 % of critical level (24 µg/m <sup>3</sup> )
Lower assessment threshold	50 % of limit value (100 µg/m <sup>3</sup> , not to be exceeded more than 18 times in any calendar year)	65 % of limit value (26 µg/m <sup>3</sup> )	65% of critical level (19.5 µg/m <sup>3</sup> )

## 3. Particulate matter (*PM<sub>10</sub>/PM<sub>2,5</sub>*)

Assessment threshold	24-hour average PM <sub>10</sub>	Annual average PM <sub>10</sub>	Annual average PM <sub>2,5</sub> <sup>(1)</sup>
Upper assessment threshold	70 % of limit value (35 µg/m <sup>3</sup> , not to be exceeded more than 35 times in any calendar year)	70 % of limit value (28 µg/m <sup>3</sup> )	70 % of limit value (17 µg/m <sup>3</sup> )
Lower assessment threshold	50 % of limit value (25 µg/m <sup>3</sup> , not to be exceeded more than 35 times in any calendar year)	50 % of limit value (20 µg/m <sup>3</sup> )	50 % of limit value (12 µg/m <sup>3</sup> )
(1) The upper assessment threshold and the lower assessment threshold for PM <sub>2,5</sub> shall not apply to measurements made to assess compliance with the objective of reducing exposure to PM <sub>2,5</sub> for protection of human health.			

## 4.Lead

Assessment threshold	Annual average
Upper assessment threshold	70 % of limit value (0.35 µg/m <sup>3</sup> )
Lower assessment threshold	50 % of limit value (0.25 µg/m <sup>3</sup> )

## 5.Benzene

Assessment threshold	Annual average
Upper assessment threshold	70 % of limit value (3.5 µg/m <sup>3</sup> )
Lower assessment threshold	40 % of limit value (2 µg/m <sup>3</sup> )



## 6. Carbon monoxide

Assessment threshold		8-hour average
Upper threshold	assessment	70 % of limit value (7 mg/m <sup>3</sup> )
Lower threshold	assessment	50 % of limit value (5 mg/m <sup>3</sup> )

## 7. Arsenic, Cadmium, Nickel, B(a)P

Assessment threshold		Arsenic	Cadmium	Nickel	B(a)P
Upper threshold in percentage of target value	assessment	60 % (3,6 ng/m <sup>3</sup> )	60 % (3 ng/m <sup>3</sup> )	70 % (14 ng/m <sup>3</sup> )	60 % (0,6 ng/m <sup>3</sup> )
Lower threshold in percentage of target value	assessment	40 % (2,4 ng/m <sup>3</sup> )	40 % (2 ng/m <sup>3</sup> )	50 % (10 ng/m <sup>3</sup> )	40 % (0,4 ng/m <sup>3</sup> )

**27. What is the relationship of the above with the WHO Global Air Quality Guidelines, notably in the context of the European Green Deal and Zero Pollution Action Plan objectives?**

Annex No. 2, part I “Suspended particles,” of *the Law on atmospheric air quality*<sup>1</sup>, sets the target value for PM<sub>2.5</sub> suspended particles of 20 µg / m<sup>3</sup> with a tolerance margin of 25%.

The value of 20 µg / m<sup>3</sup> falls within limits set at the European level (Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air for Europe) - 15-20 µg / m<sup>3</sup>. The target value of 10 µg / m<sup>3</sup> recommended by the World Health Organization for the Republic of Moldova is challenging to be reached. The target value of 20 µg / m<sup>3</sup> set for PM<sub>2.5</sub> particulate matter corresponds to the value indicated in Annex XIV, Section B of Directive 2008/50/EC of the European Parliament, and the Council of 21 May 2008 on ambient air quality and cleaner air for Europe.

**28. Is there a national programme for monitoring air quality? If yes, is information made available to the public?**

The monitoring of the air quality in the Republic of Moldova is carried out systematically according to the provisions of the Art. 29 of *Law No. 1422/1997 on*

*atmospheric air protection*<sup>210</sup>, based on air monitoring programs approved annually and implemented by the Environment Agency, the Environmental Reference Laboratory. The annual air quality monitoring program results are made public on the official website of the Environment Agency<sup>211</sup>. The data and information resulting from the air quality monitoring process are regularly published on the website of the Environment Agency in the Daily 'Newsletters'<sup>212</sup> on environmental quality in the Republic of Moldova. In order to fulfill the requirements of the LRTAP Convention, (Republic of Moldova acceded to the Convention by Parliament Decision No.39/1995<sup>213</sup>), the control station on transboundary pollution was installed in Leova town, in 2007. Observations on atmospheric air quality were initiated under the European Monitoring and Evaluation Programme (EMEP Program)<sup>214</sup>, level I Inorganic compounds in precipitation and atmospheric air: sulphates, nitrates, chlorides, ammonium, sodium, potassium, calcium, magnesium, sulfur dioxide and particulate matter with a fraction of 10µm in air, pH and electro-conductivity in atmospheric precipitation. Level II compounds (persistent organic pollutants, especially polychlorinated biphenyls and polyaromatic hydrocarbons in air and atmospheric precipitation, as well as heavy metals in precipitation) are also partially monitored at this station. The information on air quality under the EMEP Program is used for reporting to the LRTAP Convention. Based on the information resulting from the monitoring process within the Environment Agency, the environmental indicator A2 - Trend of Air Quality in the Urban Areas is produced<sup>215</sup>. The trend is analyzed every four years in the National Report on the State of the Environment of the Republic of Moldova<sup>216</sup>. The information on atmospheric air quality is published nationally and in statistical reports and surveys developed by the National Bureau of Statistics<sup>217</sup>.

## **29. What is the state of play regarding: the monitoring system, its maintenance and calibration, data collection, processing and reporting?**

Based on the new Law on Atmospheric Air Quality (2022)<sup>218</sup> two integrated systems, which will provide the organizational, institutional and legal framework for cooperation between authorities and public institutions with competencies in the field, have to be established:

<sup>210</sup> [https://www.legis.md/cautare/getResults?doc\\_id=108699&lang=ro](https://www.legis.md/cautare/getResults?doc_id=108699&lang=ro)

<sup>211</sup> <https://am.gov.md/sites/default/files/document/attachments/Program%20de%20monitoring%202022.pdf>

<sup>212</sup> <https://am.gov.md/ro/node/216>

<sup>213</sup> [https://www.legis.md/cautare/getResults?doc\\_id=8729&lang=ro](https://www.legis.md/cautare/getResults?doc_id=8729&lang=ro)

<sup>214</sup> <https://www.eea.europa.eu/themes/air/links/institutions/emep-european-monitoring-and-evaluation-programme>

<sup>215</sup> <https://projects.nilu.no/ccc/manual/index.html>

<sup>216</sup> <https://am.gov.md/ro/node/217>

<sup>217</sup> [https://statistica.gov.md/public/files/publicatii\\_electronice/Mediu/Resursele\\_naturale\\_2021.pdf](https://statistica.gov.md/public/files/publicatii_electronice/Mediu/Resursele_naturale_2021.pdf)

<sup>218</sup> [www.parlament.md/ProcesulLegislativ/Proiectedeactelegislative/tabid/61/LegislativId/5361/language/ro-RO/Default.aspx](http://www.parlament.md/ProcesulLegislativ/Proiectedeactelegislative/tabid/61/LegislativId/5361/language/ro-RO/Default.aspx)

- National System for Monitoring and Integrated Air Quality Management.
- National Air Pollutant Emission Inventory System.

The State Hydrometeorological Service is a subordinated institute of the Ministry of Environment responsible for air quality monitoring. The air quality monitoring network consisting of 18 stationary stations are operating to date. The atmospheric air samples are taken according to the schedule 3 times/24h (7.00, 13.00, 19.00) for the following basic indices: solid suspensions, sulfur dioxide, carbon monoxide, nitrogen dioxide and species: soluble sulphates, nitrogen oxide, phenol, formic aldehyde; in 5 urban areas of the Republic of Moldova (Chisinau-6, Balti-2, Bender-4, Tiraspol-3, Ribnita-2).

The equipment used in the sampling process is outdated and the specialized institutions for equipment maintenance and calibration in the country cannot provide us with their metrological verification/calibration confirmation. This is one of the reasons why the reference laboratory cannot obtain the accreditation for the investigated parameters in the air, existing equipment needs to be renewed in order to fulfill standards ISO 17025:2018. With the support of the Agency for International Cooperation of Germany (GIZ), in April 2022 in Chisinau, an automatic, continuous monitoring station for atmospheric air of traffic type was installed. The station is equipped with 5 gas analyzers to investigate nitrogen oxides, sulfur dioxide, ozone, carbon monoxide, and PM10, PM2.5 particles.

**30. Are there national, regional or local programmes or strategies or plans for reducing emissions and concentration levels of atmospheric pollutants, and if so, for which pollutants?**

The Specific objective 7 of the National Environmental Strategy for the period of 2014-2023 stipulates the need to create an integrated air quality management system: 30% reduction in air pollutant emissions by 2023 and at least 20% reduction in greenhouse gases by 2020, compared to the scenario baseline. The reduction commitments to 2020 are in line with National Determined Contribution (NDC1), the Low Emissions Development Strategy and have been achieved. For the implementation of the *Law on Atmospheric Air Quality*<sup>219</sup> the secondary legislation is going to be developed, including the *Regulation on the Reduction of National Emissions of Certain Air Pollutants*<sup>220</sup>. The Regulation provides for the development of the National Air Pollution Control Program, which establishes measures to reduce anthropogenic emissions by 2025. The program will be updated every four years. The reduction commitments relate to emissions of sulfur

<sup>219</sup>[www.parlament.md/ProcesulLegislativ/Proiectedeactelegislative/tabid/61/LegislativId/5361/language/ro-RO/Default.aspx](http://www.parlament.md/ProcesulLegislativ/Proiectedeactelegislative/tabid/61/LegislativId/5361/language/ro-RO/Default.aspx)

<sup>220</sup><https://mediu.gov.md/ro/content/anun%C8%9B-cu-privire-la-ini%C8%9Bierea-elabor%C4%83rii-proiectului-regulamentului-cu-privire-la-reducerea>

dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), non-methane volatile organic compounds (COV<sub>nm</sub>), ammonia (NH<sub>3</sub>) and fine particulate matter (PM<sub>2.5</sub>).

**31. Are there requirements to prepare and publish air pollutants emission inventories, emission projections and national targets for air pollution emission reduction over time?**

The requirements regarding the elaboration of inventories of air pollutant emissions in the Republic of Moldova are provided in the following legal acts:

- The *Law on Atmospheric Air Quality* establishes the development of a new National Air Pollutant Emission Inventory System for conducting inventories on air pollutant emissions throughout the country and reporting the national inventory in accordance with the provisions of international conventions and agreements on the air quality to which the Republic of Moldova party.
- *The Government Decision No.1277/2018*<sup>221</sup> on the establishment and operation of the National System for Monitoring and Reporting on Greenhouse Gases (GHG). Emissions and other information relevant to climate change, sets out requirements on the following:
  - the establishment and operation of the National System for Monitoring and Reporting of GHG Emissions;
  - the functioning of the national system for policies, measures, emissions projections, and forecasts.

The National System for Monitoring and Reporting of GHG Emissions establishes the mechanism for data collection, proper processing of data and information in the view of:

- drawing up and reporting on the national inventory under the UNFCCC, and the Paris Agreement decisions;
- development and reporting of anthropogenic emissions and GHG sequestration forecasts, the related policies and measures under the UNFCCC, the Paris Agreement's decisions;
- evaluation of reports in accordance with the decisions taken under the UNFCCC and the Paris Agreement.

*Law No.1018/2022 on the ratification* of the Protocol on Persistent Organic Pollutants and the Protocol on Heavy Metals to the Convention on long-range transboundary air pollution (1979)<sup>222</sup>, requires for the development of the inventory of emissions of POPs and HMs and its submission to the Secretariat of the Convention.

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<sup>221</sup> [https://www.legis.md/cautare/getResults?doc\\_id=112485&lang=ro](https://www.legis.md/cautare/getResults?doc_id=112485&lang=ro)

<sup>222</sup> [https://www.legis.md/cautare/getResults?doc\\_id=14536&lang=ro](https://www.legis.md/cautare/getResults?doc_id=14536&lang=ro)

The responsible authority for the development of GHG and air pollutants inventories is the Environmental Agency. It publishes on the official website the National Inventory Report in tabular format<sup>223</sup>. The summation tables show the trends of greenhouse gas emissions by type of gas and sector of activity.

**32. What arrangements are in place to control Volatile Organic Compound (VOC) emissions from different sources including petrol storage and distribution, the use of solvents by industry and from the use of paints and varnishes?**

The Government Decision No.587/2020<sup>224</sup> for the approval of the Regulation on the control of volatile organic compounds emissions resulting from the storage and distribution of gasoline from terminals to petroleum products refueling stations transposes Directive 1994/63/EC on the control of emissions of volatile organic compounds (VOCs) from fuel storage and distribution from terminals to service stations. The provisions of the Regulation apply to processes, installations, vehicles and ships used for the storage, loading / unloading and transport of petrol from one terminal to another or from one terminal to a petrol station in order to limit the emissions of volatile organic compounds resulting from the execution of these operations.

The control of the implementation of the Regulation is exercised by:

- Environmental Protection Inspectorate, which verifies compliance with the provisions of the Governmental Decision by owners of terminals and filling stations with petroleum products;
- Agency for Technical Supervision, which keeps records of oil terminals and filling stations; monitors compliance with deadlines and procedures for verification of technological pipelines; performs the state technical supervision of installations/equipment at terminals and installations for loading and unloading of gasoline in/from mobile containers at terminals and filling stations with petroleum products;
- Environment Agency, which assesses and summarizes data on emissions of VOCs and refines the information needed to be included in National Environmental Reports, or other relevant reports. The requirements for terminal storage facilities shall apply within the time limits set out in Chapter VIII of the Regulation no.587/2020.

*The Government Decision No. 914/2020<sup>225</sup> for the approval of the Regulation on the limitation of emissions of volatile organic compounds caused by the use of organic solvents in certain paints, varnishes and vehicle refinishing products*

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<sup>223</sup> [https://am.gov.md/sites/default/files/document/attachments/535982\\_en\\_nis\\_en\\_211211\\_w\\_compressed.pdf](https://am.gov.md/sites/default/files/document/attachments/535982_en_nis_en_211211_w_compressed.pdf)

<sup>224</sup> [https://www.legis.md/cautare/getResults?doc\\_id=122611&lang=ro](https://www.legis.md/cautare/getResults?doc_id=122611&lang=ro)

<sup>225</sup> [https://www.legis.md/cautare/getResults?doc\\_id=124936&lang=ro](https://www.legis.md/cautare/getResults?doc_id=124936&lang=ro)

transposes Directive 2004/42/ EC on the limitation of emissions of volatile organic compounds caused by the use of organic solvents in certain paints and varnishes, and vehicle refinishing products. The Regulation aims to limit the total content of volatile organic compounds in certain paints, varnishes and vehicle refinishing products to prevent or reduce air pollution produced by the VOC's contribution to the formation of tropospheric ozone. The Regulation also sets maximum limit values for the content of volatile organic compounds in certain paints, varnishes and vehicle refinishing products, as well as labeling requirements for those products. The Environmental Protection Inspectorate draws up the list of operators who place varnishes, paints, and refinishing products on the market (Annex 1 to the Regulation) and place it on the official website of the institution. In case of detection of non-compliant products placed on the market, Environmental Protection Inspectorate notifies the National Agency for Public Health and informs the public about the risk presented by these products.

### **33. What is the state of ratification and implementation of the UNECE Convention on Long Range Transboundary Air Pollution and its various protocols?**

The Republic of Moldova acceded to the Convention on Long-range Transboundary Air Pollution (LRTAP Convention) on June 9, 1995, based on the Decision of the Parliament of the Republic of Moldova No. 399/1995<sup>5</sup>. As a Party to the Convention, Moldova reports annually to the Convention the Nomenclature for Reporting (NFR) and Informative Inventory Report (IIR). The NFR is done according to the EMEP/EEA air pollutant emission inventory guidebook, prepared by the UNECE/EMEP Task Force on Emissions Inventories and Projections and published by EEA<sup>226</sup>. The emissions inventory is done for 25 air pollutants including: Main pollutants - 5; PM - 4; Heavy metals - 9; and POPs -7. The purpose of the IIR is to relate the current state of inventory procedure, data collection for key categories, methodological issues and methods, emissions factors used, uncertainties assessment, quality assurance and quality control etc.

The LRTAP Convention has eight protocols, and the Republic of Moldova has signed 4 and acceded by law to the first three of them (1-3).

- The Protocol on Heavy Metals. The Republic of Moldova acceded by Law No. 1018/2002<sup>227</sup>.
- The Protocol on Persistent Organic Pollutants. The Republic of Moldova acceded by Law No. 1018/2002<sup>15</sup>.
- The Protocol on long-term financing of the cooperative programme for monitoring and evaluation of the long-range transmission of air pollution in

<sup>226</sup> <https://www.eea.europa.eu/publications/emep-eea-guidebook-2019>

<sup>227</sup> [https://www.legis.md/cautare/getResults?doc\\_id=14536&lang=ro](https://www.legis.md/cautare/getResults?doc_id=14536&lang=ro)

Europe / EMEP Protocol. The Republic of Moldova acceded by Law No. 215/2015<sup>228</sup>.

- The Protocol to abate acidification, eutrophication and ground-level ozone (Gothenburg Protocol). The Republic of Moldova signed the protocol on May 23, 2000.

The Law on Atmospheric Air Quality<sup>229</sup> prepares the background for ratification of the Gothenburg Protocol to Abate Acidification, Eutrophication and Ground-level Ozone.

### C. Waste Management

**34. What are the main features of the legislation concerning waste management (including household waste, waste from consumer goods, packaging waste and waste from electric and electronic equipment, batteries, end-of-life vehicles, end-of-life ships, PCB/PCT, industrial waste including hazardous waste, construction and demolition waste, plastic waste, sludges from urban waste water treatment and other waste from specific activities)? Does Moldova intend to apply the European List of Waste?**

The legislation in the field of waste management has been recently updated in order to transpose the EU Framework Directive 2008/98/EC on Waste and the other relevant Eu acts, using the EU *acquis* in the field as the main benchmark.

In 2016, the framework Law No. 209/2016 on waste<sup>230</sup>, which transposes Waste Directive 2008/98/EC and other nine EU Directives on certain waste streams, including hazardous waste, as well as the waste treatment was approved. It provided the basis for further drafting of the secondary legislation, that transposed the provisions of the EU legislation within the sector, including the European List of Waste, EPR principles for some specific waste streams (waste electrical and electronic equipment (WEEE), packaging waste, waste batteries and accumulators), waste evidence and reporting.

The regulatory framework developed and approved during the period of 2017-2022 includes the following:

- *Government Decision No. 212/2018*<sup>231</sup> for the approval of the Regulation on waste electrical and electronic equipment transposes Directive 2012/19/EU of the European Parliament and of the Council of 4 July 2012 on waste electrical and electronic equipment.

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<sup>228</sup> [https://www.legis.md/cautare/getResults?doc\\_id=90885&lang=ro](https://www.legis.md/cautare/getResults?doc_id=90885&lang=ro)

<sup>229</sup> [www.parlament.md/ProcesulLegislativ/Proiectedeactelegislative/tabid/61/LegislativId/5361/language/ro-RO/Default.aspx](http://www.parlament.md/ProcesulLegislativ/Proiectedeactelegislative/tabid/61/LegislativId/5361/language/ro-RO/Default.aspx)

<sup>230</sup> [https://www.legis.md/cautare/getResults?doc\\_id=130544&lang=ro](https://www.legis.md/cautare/getResults?doc_id=130544&lang=ro)

<sup>231</sup> [https://www.legis.md/cautare/getResults?doc\\_id=102175&lang=ro](https://www.legis.md/cautare/getResults?doc_id=102175&lang=ro)

- *Government Decision No. 696/2018*<sup>232</sup> for the approval of the Sanitary Regulation on the management of waste resulting from medical activity.
- *Government Decision No. 561/2020*<sup>233</sup> for the approval of the packaging and packaging waste regulation transposes the European Parliament and Council Directive 94/62/EC of 20 December 1994 on packaging and packaging waste and Commission Decision 97/129/CEE of 28 January 1997 establishing the identification system for packaging materials pursuant to European Parliament and Council Directive 94/62/EC on packaging and packaging waste (Text with EEA relevance).
- *Government Decision No. 586/2020*<sup>234</sup> for the approval of the Regulation on the management of batteries and accumulators and waste batteries and accumulators transposes Directive 2006/66/EC of the European Parliament and of the Council of 6 September 2006 on batteries and accumulators and waste batteries and accumulators and repealing Directive 91/157/EEC.
- *Government Decision No. 99/2018*<sup>235</sup> on the approval of the Waste List transposes Commission Decision 2000/532/EC of 3 May 2000 replacing Decision 94/3 / EC establishing a list of waste.
- *Government Decision No. 501/2018*<sup>236</sup> on the Instruction on record keeping and transmission of waste data and its management [www.siamd.gov.md](http://www.siamd.gov.md). The implementation of the Government Decision will ensure keeping records for all the types of waste that can be generated.
- *Government Decision No. 682/2018*<sup>237</sup> on approval the concept of Waste Management Automated Information System provides technical requirements for establishment of a Waste Management Automated Information System (WMAIS). The information system consists of a set of information resources and technologies, technical means of programs and methodologies, which are interconnected, and intended to accumulate information on the certain products placed on market (under the EPR principle) and the annual data on waste generated, according to Law No. 209/2016 on waste, on the basis of reports submitted by the economic operators and other entities.
- Additional Guide on the management of sludge from wastewater treatment plants, approved by the Minister of Environment Order No. 39/2022<sup>238</sup> was recently elaborated and available at the Ministry web page.

The Law No. 209/2016 on waste establishes the legal bases, the state policy and the necessary measures for the protection of the environment and the health of the

<sup>232</sup> [https://www.legis.md/cautare/getResults?doc\\_id=108829&lang=ro](https://www.legis.md/cautare/getResults?doc_id=108829&lang=ro)

<sup>233</sup> [https://www.legis.md/cautare/getResults?doc\\_id=122773&lang=ro](https://www.legis.md/cautare/getResults?doc_id=122773&lang=ro)

<sup>234</sup> [https://www.legis.md/cautare/getResults?doc\\_id=122845&lang=ro](https://www.legis.md/cautare/getResults?doc_id=122845&lang=ro)

<sup>235</sup> [https://www.legis.md/cautare/getResults?doc\\_id=102107&lang=ro](https://www.legis.md/cautare/getResults?doc_id=102107&lang=ro)

<sup>236</sup> [https://www.legis.md/cautare/getResults?doc\\_id=108614&lang=ro](https://www.legis.md/cautare/getResults?doc_id=108614&lang=ro)

<sup>237</sup> <http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=376450>

<sup>238</sup>

[https://mediu.gov.md/sites/default/files/Ordin%20nr.39\\_30.03.2022%20Ghid%20gestionare%20n%C4%83mol%20de%20la%20sta%C8%9Biile%20de%20epurare.pdf](https://mediu.gov.md/sites/default/files/Ordin%20nr.39_30.03.2022%20Ghid%20gestionare%20n%C4%83mol%20de%20la%20sta%C8%9Biile%20de%20epurare.pdf)



population by preventing or reducing the effects determined by the generation and management of waste. The law sets up requirements on waste management, promoting extended producer responsibility on several products such as WEEE, packaging waste, waste oils, waste batteries and accumulators, and end of life vehicles (ELV).

The following articles of the Law No. 209/2016 on waste include specific waste streams provisions:

Article 49. Waste Batteries and Accumulators

Article 50. Waste Electrical and Electronic Equipment

Article 51. End-of-Life Vehicles

Article 52. Waste Oils

Article 53. Persistent Organic Pollutants Stocks and Waste

Article 54. Packaging Waste

Article 55 Medical Waste

Article 56. Biowaste

Article 57. Ship-Generated Waste and Cargo Residues

Article 58. Mercury Waste

Article 59. Asbestos Waste

Article 60. Used Tyres

Article 61. Ferrous and Non-Ferrous Metal Waste

In 2021, the Ministry of Environment initiated the process of elaboration of the additional secondary legislation on ELV, waste oils and used tyres, which are currently under endorsement procedure before the Government approval, as following:

- The draft Government Decision on approval of the Regulation on the management of used tyres<sup>239</sup>;
- The draft Government Decision on approval of the Regulation on the management of end-of-life vehicles<sup>240</sup>;

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<sup>239</sup> <https://particip.gov.md/ro/document/stages/anunt-privind-organizarea-consultarii-publice-asupra-proiectului-hotararii-guvernului-cu-privire-la-aprobarea-regulamentului-privind-gestionarea-anvelopelor-uzate/8775>

<sup>240</sup> <https://particip.gov.md/ro/document/stages/anunt-privind-consultarea-publica-a-proiectului-hotararii-guvernului-pentru-aprobarea-regulamentului-privind-vehiculele-scoase-din-uz-nr-unic-13mm2022/8945>

- The draft Government Decision on approval of the Regulation on the management of waste oils<sup>241</sup>.

In addition, there are several legal acts, approved previously, that contains certain provision associated with the waste management, particularly:

- Law No. 721/1996 on quality in construction<sup>242</sup>, which in Art. 6 provides the essential mandatory requirements for the construction process.
- Law No. 231/2010<sup>243</sup> on internal trade contains prohibitions on the use/sale of some plastic goods.
- Government Decision No. 81/2009 on approval of PCB Regulation reflects requirements for the substitution and disposal of PCB containing oils and equipment<sup>244</sup> (with relevant amendments in 2019 and 2020, which transposes the Regulation No. 850/2004 / EC of the European Parliament and of the Council of Europe of 29 April 2004 on persistent organic pollutants and amending Directive 79/117/EEC and Council Directive 96/59/EC of 16 September 1996 on the disposal of polychlorinated biphenyls and polychlorinated terphenyls (PCBs / TPCs)).
- Government Decision No. 950/2013 for the approval of the Regulation on requirements collection, treatment and discharge of wastewater into sewer system and/or in bodies of water for urban and rural localities<sup>245</sup> (Chapter V) which partially transposes Council Directive 91/271/EEC of 21 May 1991 concerning urban waste-water treatment .

In order to prevent the generation of plastic waste, by promoting the regulations on the gradual banning on use of plastic products/articles (plastic bags except biodegradable ones), the provisions of Art. 20<sup>1</sup> of Law No. 231/2010<sup>246</sup> on internal trade, which establishes prohibitions on the use/sale of plates, glasses, other disposable tableware and chopsticks, disposable, made of plastic, as well the prohibition to provide plastic bags for free in shops with the exception of biodegradable ones entered into force in January 1, 2021.

Internal consideration regarding the transposition of the certain provisions of the Directive (EU) 2019/904 of the European Parliament and of the Council of 5 June 2019 on the reduction of the impact of certain plastic products on the environment *is ongoing* with an aim to improve national legislation on the reduction of generation plastic waste, promote circular approaches in plastic waste management.

The construction and demolition waste management provisions do not yet have a separated Regulation, except the provisions of Law No. 721/1996 on quality in

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<sup>241</sup> <https://particip.gov.md/ro/document/stages/anunt-privind-consultarea-publica-a-proiectului-hotararii-guvernului-pentru-aprobarea-regulamentului-privind-gestionarea-uleiurilor-uzate/8954>

<sup>242</sup> [https://www.legis.md/cautare/getResults?doc\\_id=120454&lang=ro](https://www.legis.md/cautare/getResults?doc_id=120454&lang=ro)

<sup>243</sup> [https://www.legis.md/cautare/getResults?doc\\_id=127948&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=127948&lang=ro#)

<sup>244</sup> [https://www.legis.md/cautare/getResults?doc\\_id=119567&lang=ro](https://www.legis.md/cautare/getResults?doc_id=119567&lang=ro)

<sup>245</sup> [https://www.legis.md/cautare/getResults?doc\\_id=120783&lang=ro](https://www.legis.md/cautare/getResults?doc_id=120783&lang=ro)

<sup>246</sup> [https://www.legis.md/cautare/getResults?doc\\_id=127948&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=127948&lang=ro#)

construction<sup>247</sup>. Article 6 provides the essential requirements that are mandatory to be met during the construction process namely the requirement D - hygiene, human health, restoration and protection of the environment and the requirement G - sustainable use of natural resources. At the same time, Art. 7, paragraph (1) stipulates that the obligations regarding the realization and maintenance during the entire existence of the constructions, of the essential requirements provided in art. 6 belong to the factors involved in the design, execution, and operation of the constructions, as well as in their post-use according to the responsibilities of each, regardless of investor type.

The Art. 20 of the Law No. 721/1996 on quality in construction contains provisions on post-use of construction, which include activities of decommissioning, dismantling and demolition of constructions, reconditioning and reuse of recoverable elements and products, as well as recycling of unusable waste, ensuring the protection of the environment. The management of construction and demolition waste is provided in the Practical Code in Construction CP A.09.04: 2014<sup>248</sup> Management of Construction and demolition waste approved and implemented by Order of the Minister of Regional Development and Construction No. 107/2014. The Code aims to provide a sound management of construction and demolition waste by ensuring an efficient system of temporary storage and separation at the place of their generation, to increase the amount of waste recovery and recycling and to reduce the impact on the environment and public health. All these activities are in line with the principles of waste management established in the Waste Management Strategy in the Republic of Moldova for the years 2013-2027, approved by Government Decision No. 248/2013<sup>249</sup>. This Code is adjusted to the provisions of Directive No. 2008/98/EC on waste; Directive No. 91/689/EEC on hazardous waste; Directive No. 99/31/ EC on landfill of waste; Decision No. 2000/532/EC on the list of wastes, as amended by Commission Decision No. 2001/119 (replacing Decision No. 94/3/EC on the list of wastes and Decision No. 94/904 / EC on the list of hazardous wastes); Regulation (EU) No. 305/2011 of the European Parliament and of the Council of 9 March 2011 laying down harmonized conditions for the marketing of construction products and repealing Council Directive 89/106/EEC.

Additionally, draft Regulation on the demolition of unauthorized constructions<sup>250</sup> that is currently being developed, stipulates the use of the waste resulting from the demolition of the buildings as well contains provision regarding the execution of the demolition works.

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<sup>247</sup> [https://www.legis.md/cautare/getResults?doc\\_id=120454&lang=ro](https://www.legis.md/cautare/getResults?doc_id=120454&lang=ro)

<sup>248</sup> <https://ro.scribd.com/document/373138646/CP-A-09-04-2014>

<sup>249</sup> [https://www.legis.md/cautare/getResults?doc\\_id=114412&lang=ro](https://www.legis.md/cautare/getResults?doc_id=114412&lang=ro)

<sup>250</sup> <https://cancelaria.gov.md/sites/default/files/document/attachments/457.pdf>

### 35. Is there a general waste management policy (programme, strategy etc.) in place?

The *Waste Management Strategy of the Republic of Moldova* for the period 2013-2027, approved by Government Decision No.248/2013<sup>251</sup>, aims to establish the direction of infrastructure development activities and services necessary for the proper management of waste in order to protect the environment and the health of the population. The waste management strategy prioritizes actions in line with the EU waste hierarchy (reduce, re-use, recycle, recover, disposal), and life cycle assessment tools are used to complement the general rules and better shape the most efficient waste management solutions.

This lays out for regionalization of the services and development of the integrated municipal waste management systems in the eight regions. The strategy serves a legal background for development of the feasibility studies in 5 regions, for which the investment projects are undergoing.

The draft National Waste Management Program for 2022-2027 is currently being developed. The concept of the public policy document was elaborated<sup>252</sup>: “National Program for Waste Management for the years 2022-2027” and submitted to public consultations. This Program will replace the existing Waste Management Strategy and will improve waste management system, promote circular economy, mainstream EU Green Deal provisions etc.

### 36. Is there a legislative framework in place on the following topics:

**A) Basic framework legislation (definition, hierarchy on waste management: prevention, preparing for re-use, recycling, recovery and finally disposal), authorisation schemes, responsibilities for the collection, disposal and recovery of municipal waste and of other waste, extended producer responsibility);**

The Law No. 209/2016 on waste establishes the basic legislative framework for waste management, defines the most important terms and promotes application of *waste hierarchy* as one of the main principles for waste management.

Waste is defined as any substance or object contained in the waste category list that the holder discards, intends to discard or is required to discard.

The **hierarchy of waste management** has following order of priority:

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<sup>251</sup> [https://www.legis.md/cautare/getResults?doc\\_id=114412&lang=ro](https://www.legis.md/cautare/getResults?doc_id=114412&lang=ro)

<sup>252</sup> <http://old.madrm.gov.md/ro/content/anun%C5%A3-privind-ini%C8%9Bierea-elabor%C4%83rii-proiectului-documentului-de-politici-publice-%E2%80%9Cprogramul>

- prevention and reduction of waste generation.
- re-use of a product for or beyond its intended use.
- recycling and processing of waste to extract secondary raw materials for production of the same or other products.
- recovery, i.e., use of the value of waste, (such as composting, incineration with energy recovery and other); and
- disposal of waste by landfilling.

The application of the waste hierarchy shall be mandatory for all stakeholders involved in waste generation, ensuring prevention of waste production and the efficient and effective management of waste, to reduce adverse impact on the environment.

**Authorization / waste permit.** Article 25 of Law No. 209/2016 specifies the procedure for issuing waste management permit (authorization) by the competent authority (Environmental Agency) to waste management operators, for collection, transport, storage, treatment and disposal of waste. Any establishment or unit, intending to carry out waste treatment activity must obtain a permit on waste management. The holder of the waste management permit has the key responsibilities to take all measures to efficiently prevent pollution and to avoid waste generation and, where it cannot be avoided – shall conduct waste recovery, and when it is technically and economically impossible – shall take measures to dispose of waste, avoiding or minimizing environmental impact. The holder of the waste management permit should keep record of the quantity of waste collected, recovered or disposed of and report annually to the Environmental Agency, electronically, on waste management, in line with the requirements approved by the Government.

The Law No. 209/2016 on waste contains several derogations from the Art. 25, regarding obligation to hold waste management permits. Particularly this derogation is applied to the operators that dispose of their own non-hazardous waste at the production site without affecting human health or the environment or those that collect or transport waste as a part of professional system, as well as those that intermediate waste recovery or disposal for third parties, except for municipal and hazardous waste.

As regard the **municipal waste management**, the local public authorities are responsible for developing an efficient system for integrated municipal waste management; establish conditions for separate collection, transportation, recovery and final disposal of waste; ensuring the separate collection for recyclable and biowaste. The types of municipal waste are stipulated according to category 20 of the Waste List, approved by the Government Decision No. 99/2018.

**Extended Producer Responsibility (EPR):** Art. 12 of Law No. 209/2016 on waste, contains provisions for EPR implementation in order to strengthen the reuse, prevention, collection, recycling and other types of waste recovery, by individuals or legal entities (manufacturer of the product) – that professionally

develop, manufacture, process, treat, sell or/and import products shall be subjected to EPR. The EPR represents all the obligations imposed on the producers, be it either individually or collectively, regarding the recovery and recycling the products at the end of their life. The activities for the application of the EPR principle relate to the acceptance of returned products and remaining waste after those products were used, as well as to the further management of waste and financial coverage of such activities. The responsibilities of the producers are laid down in the Art. 12(5)- to ensure the labeling, marking and application of symbols indicating that the product is subject to separate collection and its disposal being prohibited. Producers are obliged to ensure the organization and operation of the individual or collective systems for management of those waste streams; to register within the Waste Management Automatic Information System, as well as to conduct educational and information/awareness programs about the collection and treatment of products that became waste. The main responsibility of producers is to ensure – individually or via collective systems- the achievement of the targets set by the Government for collection and recycling of products that became waste.

Several normative acts have already been approved in order to implement the EPR, in particular WEEE, B&A and Packaging and Packaging waste Regulations, which are mentioned in p.34. It should be noted that after several years of implementation, these regulations require some amendments that would provide a better enforcement of the EPR. Three more regulations are in process of promotion - ELV, waste oils and used tyres.

Several Producer responsibility organizations (PROs) have been established for different waste streams (WEEE, B&A, packaging waste), but not all the time they are fully compliant with the EPR principles, including due to complexity of new approaches brought by the Directive 2081/851/EC, limited recycling and treatment opportunities within the country and poor understanding of their roles.

In addition, there are several instructions, approved by the Environmental Agency aiming to improve the EPR implementation:

- Instruction on registration in the "List of producers" for battery and accumulator producers (Environment Agency Order No. 08/2021<sup>253</sup>)
- The unitary reference management value established, based on the information received from the collective systems authorized for carrying out the activities related to the implementation of the extended responsibility of the producer, approved by Environment Agency Order No. 45/2021<sup>254</sup>.
- Instruction on implementation of the Regulation on packaging and packaging waste (approved by Environment Agency Order No. 28/2021<sup>255</sup>).

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<sup>253</sup> [https://am.gov.md/sites/default/files/document/attachments/08%20din%2003.03.2021\\_0.pdf](https://am.gov.md/sites/default/files/document/attachments/08%20din%2003.03.2021_0.pdf)

<sup>254</sup> [https://am.gov.md/sites/default/files/document/attachments/Ordin%20nr.%2045%20din%2014.12.2021\\_0.pdf](https://am.gov.md/sites/default/files/document/attachments/Ordin%20nr.%2045%20din%2014.12.2021_0.pdf)

<sup>255</sup> <https://am.gov.md/sites/default/files/document/attachments/Ordin%2028%20din%2001.10.2021.pdf>

- Guidelines related to the implementation of point 49 of the Regulation on packaging and packaging waste (approved by Environment Agency Order No. 19/2021).

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#### **b) Framework on hazardous waste;**

The Law No. 209/2016 on waste indicates requirements for hazardous waste management. Hazardous waste can only be treated in facilities that have a permit for the treatment of hazardous waste. During the process of collection, separation, storage, transport, re-use and disposal, the hazardous waste must be packaged and labelled in a manner consistent with safeguarding human health and the environment according to the Art. 22 of Law No. 209/2016 on waste.

Law No. 209/2016 on waste (Art. 21) prohibits the mixing of different hazardous waste types, or the mixing of hazardous waste with non-hazardous waste, unless performed under the supervision of a qualified person as part of the procedure for hazardous waste treatment.

Hazardous and non-hazardous waste shipments in the Republic of Moldova are regulated by the Government Decision No. 637 /2003<sup>256</sup> on control for the transboundary movement of the hazardous waste and their disposal and by other specific provisions of Law No. 209/2016 on waste.

Article 62 of the Law No. 209/2016 on waste envisages the creation of the Hazardous Waste Management Center with aim to improve the management of hazardous waste in Moldova and reduce its negative impact on the environment and human health by ensuring the correct collection and disposal of various hazardous waste streams, contributing thus reducing emissions of pollutants, including greenhouse gases. According to the feasibility study, developed by the Ministry of Environment in 2017, the investment cost for establishing the center is 3.9 million Euro.

#### **c) Legislation on specific types of waste treatment (e.g. incineration, landfill, mechanical biological treatment (MBT), separate waste collection);**

**Incineration:** General requirements for waste incineration are provided in the Art. 17 of the Law No. 209/2016 on waste, in accordance with requirements of the Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions. Therefore, thermal treatment of waste (incineration and co-incineration) shall be performed in accordance with the permit issued on the basis of article 25 of the Law No. 209/2016 on waste. Thermal

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<sup>256</sup> [https://www.legis.md/cautare/getResults?doc\\_id=112863&lang=ro](https://www.legis.md/cautare/getResults?doc_id=112863&lang=ro)

treatment shall be conducted in facilities that are designed, built, and equipped for this purpose in accordance with the regulations and construction standards.

According to Law No. 209/2016 on Waste, the site selection in order to locate the waste incineration and co-incineration installations, as well as carrying out the incineration and co-incineration operations of waste shall be restricted, regulated and performed under strictly controlled conditions, established by Law No. 209/2016 on waste and the draft Regulation on waste incineration and co-incineration.

In order to ensure the prevention or minimization, at the initial stages, of the negative impact on environment and health, planning of waste incineration and co-incineration activities is carried out according to Law No. 86/2014 on environmental impact assessment, that is going to be amended according to the relevant EU Acquis.

Waste incineration with recovery of heat energy generated is conducted only if is economically justified and if: no additional energy is used for the incineration of waste, except in the case of initial ignition, or when waste is used as fuel or additional fuel for co-incineration (art 17 of the Law No. 209/2016 on waste).

The Ministry of Environment developed draft Regulation on waste incineration and co-incineration<sup>257</sup>, which transposing Chapter VI of the Industrial Emission Directive 2010/75/EU). This Regulation contains the types of waste which undergo thermal treatment, the terms and criteria for the choice of location, technical and technological conditions for project planning, construction, equipping and operation of the facility for thermal treatment of waste, manner of handling the remaining waste after incineration.

**Disposal.** The Law No. 209/2016 on waste stipulates requirements for the waste disposal (Art. 15) as well for the landfill construction (Art. 16) in accordance with the Directive 1999/31/EC of 26 April 1999 on the landfill of waste. These articles prescribe general requirements for waste disposal to prevent and reduce the negative impact on the environment that can be caused by landfilling activities, which includes designing, building, operation and closing down of the landfilling facility. Landfills are classified in three classes, depending on the type of waste disposed of, specifically: landfills for hazardous, non-hazardous and inert waste. Landfill operators shall obtain an environmental permit for waste management, issued in line with Article 25 of the Law No. 209/2016 on waste.

Draft Government Decision on approval of Regulation disposal of waste on landfills<sup>258</sup>, which transposing Directive 1999/31/EC of 26 April 1999 on the landfill of waste, is under development now. This regulation prescribes the terms and criteria for establishing the location, technical and technological conditions for

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<sup>257</sup><http://old.madrm.gov.md/ro/content/anun%C8%9B-privind-ini%C8%9Biere-elabor%C4%83rrii-proiectului-de-hot%C4%83r%C3%A2re-guvernului-pentru-aprobarea-1>

<sup>258</sup><https://mediu.gov.md/ro/content/ministerul-mediului-ini%C8%9Biaz%C4%83-%C3%A2ncep%C3%A2nd-cu-data-de-08-noiembrie-2021-elaborarea-proiectului>



design, planning, construction and operation of waste landfills. It will also list the type of waste which disposal is forbidden, the quantities of biodegradable waste that can be landfilled, the criteria and procedures for acceptance or non-acceptance for disposal of waste at the landfill. Additionally, it contains procedures for landfill operation and closure; content and ways of monitoring the landfill operation, as well as subsequent maintenance after landfill closure (after-care phase).

The Law No. 209/2016 on waste stipulates the requirements for the specific waste treatment, including separate waste collection of paper, glass, metal and plastic (Art. 14). Legal framework for separate collection is set up in the secondary legislation, particularly in the Government Decision No. 561/2020<sup>259</sup> for the approval of the Regulation on packaging and packaging waste.

The National Waste Management Program for the period of 2022-2027 will also set the appropriate measures to promote the reuse of products and activities to prepare for reuse, by encouraging the establishment and support of reuse and repair networks, the use of economic instruments and public procurement criteria.

The Law No. 209/2016 on waste promotes composting and fermentation (Art. 56); treating biowaste in a way that ensures a high level of environmental protection; the use of environmentally friendly materials from bio-waste. Biodegradable waste from parks and gardens must be collected separately, and then treated at a composting unit.

**d) Legislation on specific waste streams or types (e.g. end-of-life vehicles, electric and electronic equipment, sewage sludge, etc.);**

**End of life vehicles (ELV):** Art. 51 of the Law No. 209/2016 on waste stipulates main regulatory aspects in relation to vehicles and ELV, including their components and materials. In order to implement the ERP requirements, compliant with Article 12 of the Law, the manufacturers of vehicles shall ensure the establishment of an individual or a collective system for the return and collection of all end-of-life vehicles and shall develop material recovery systems for ELV waste. The operator of the ELV treatment facility/material recovery scheme must be authorized by the Environmental Agency and shall fulfil the responsibilities of the waste holder and waste producer relevant to its activity. The technical details on specific requirements for ELVs are set up in the draft Government Decision on the approval of the Regulation on the management of end-of-life vehicles<sup>260</sup> that is being currently elaborated.

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<sup>259</sup> [https://www.legis.md/cautare/getResults?doc\\_id=122773&lang=ro](https://www.legis.md/cautare/getResults?doc_id=122773&lang=ro)

<sup>260</sup> <https://particip.gov.md/ro/document/stages/anunt-privind-consultarea-publica-a-proiectului-hotararii-guvernului-pentru-approbarea-regulamentului-privind-vehiculele-scoase-din-uz-nr-unic-13mm2022/8945>

Additionally, the management of end-of-life vehicles is done in accordance with the provisions of the Road Transport Code No. 150/2014<sup>261</sup>, included under the Art. 94 (1) as the specific vehicle service- related activity.

In this context, in accordance with the provisions of art. 106-108 of the Code, registered companies carrying out the dismantling of used road vehicles must have additional storage space, including for the temporary storage of these vehicles before dismantling and for the products and operating materials resulting from dismantling, meeting the following conditions:

- the collection area of end-of-life road vehicles must be divided into two separate areas, namely: an area where end-of-life vehicles are handed over by the owners and an area for their temporary storage for dismantling.
- to have impermeable surfaces in the area where the dismantling and depollution of the road vehicle is carried out;
- to have adequate containers for storing accumulator batteries;
- to hold tanks for the separate storage of used vehicle fluids: fuel, engine oil, gearbox oil, transmission oil, hydraulic oil, coolants, antifreeze, brake fluid, air conditioning fluid and any other liquids contained in the end-of-life road vehicle;
- to have spaces for storing used tires.

Companies are required to issue a certificate of destruction in the name of the owner of the dismantled road vehicle.

Art.108 stipulates, that operators that are registered to carrying out the dismantling of end-of-life road vehicles are obliged:

- to ensure the strict record of all the road vehicles on which the activity for which they were registered was carried out;
- to ensure the evidence of the treatment of the carrosserie / chassis resulting from the dismantling activity;
- to allow the control to be carried out by the competent bodies and to provide them with the requested information.

The registration of the dismantling of end-of-life road vehicles is conditional on compliance with the special conditions of reuse, recycling or recovery of parts, components and operating materials resulting from dismantling, in order to protect the environment, road safety and energy conservation, as the case.

**WEEE:** Management of the WEEE is regulated by the Government Decision No. 212/2018<sup>262</sup> on approval of WEEE Regulation, which is transposes the Directive 2012/19/EU of the European Parliament and of the Council of 4 July 2012 on waste

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<sup>261</sup>[https://www.legis.md/cautare/getResults?doc\\_id=129130&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=129130&lang=ro#)

<sup>262</sup> [https://www.legis.md/cautare/getResults?doc\\_id=102175&lang=ro](https://www.legis.md/cautare/getResults?doc_id=102175&lang=ro)

electrical and electronic equipment. Regulation lays down the conditions for the protection of the health of all those involved in the life cycle of electrical and electronic equipment, such as manufacturers, importers, distributors, consumers and economic agents directly involved in the collection, treatment, recycling, recovery and disposal of WEEE. In order to implement the EPR in compliance with Article 12 of the Law No. 209/2016 on waste, the EEE producers shall ensure the establishment of an individual or a collective system for the return and collection of WEEE and shall develop material recovery systems to achieve the targets on WEEE collection and treatment.

**Sewage sludge** management is stipulated according to Articles 41-43 of the Government Decision No. 950/2013<sup>263</sup> for the approval of the Regulation on the requirements for the collection, treatment and discharge of wastewater in the sewerage system and / or in the emission for urban and rural localities. The main regulatory requirements for the operation of wastewater collection systems and for the operation of treatment plants contain provisions regarding the method and degree of treatment and the quality of the effluents into which the wastewater is discharged purified; identification and classification of such emissions, designated as sensitive or less sensitive areas. Wastewater treatment operators shall respect the conditions regarding the management of the sludge resulting from the treatment process as well to monitor the discharge of liquid waste and to monitor its effects and to respect the reporting requirements.

#### **e) Legislation on shipment of waste.**

Shipment of waste is regulated by the Government Decision No 637/2003<sup>264</sup> on approval the Regulation on transport of hazardous waste, which establishes the mechanism for the implementation of the provisions of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, meant to ensure compliance with the requirements regarding environment security during export, transit and disposal of waste.

The draft Regulation on waste shipment is in process of final stage of approval by the Government.<sup>265</sup>

The draft regulation sets requirements in accordance with the Regulation (EC) No. 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste, in particular the prior informed notification and consent procedure, as well as the simplified arrangements in relation to green listed waste, general notification and prior consent facilities. The draft Regulation aims to establish control procedures and regimes for waste transfers, according to the origin, destination and route of the transfer, the type of waste transferred and the

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<sup>263</sup> [https://www.legis.md/cautare/getResults?doc\\_id=121389&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=121389&lang=ro#)

<sup>264</sup> [https://www.legis.md/cautare/getResults?doc\\_id=112863&lang=ro](https://www.legis.md/cautare/getResults?doc_id=112863&lang=ro)

<sup>265</sup> Anunț privind inițierea consultărilor publice asupra proiectului hotărârii Guvernului pentru aprobarea Regulamentului privind transferurile de deșeuri | Particip.gov.md

type of treatment that applies to the waste at the destination. The draft Regulation as well includes provisions for import, export and transit of waste, as well as a procedure for transfer of waste exclusively in the Republic of Moldova. Additionally draft regulation is - establishing the mechanism for implementing the provisions of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal.

**37. Does Moldova's waste management legislation include provisions on waste prevention?**

The *Waste Management Strategy of the Republic of Moldova* for the period 2013-2027, as approved by Government Decision No.248/2013<sup>266</sup> is in force.

The draft National Waste Management Program for 2022-2027 is currently being developed. The concept of the public policy document “National Program for Waste Management for the years 2022-2027”<sup>267</sup> was elaborated by the Ministry of Environment and submitted to public consultations. The draft National Waste Management Program contains appropriate measures to promote the reuse of products and activities to prepare for reuse, by encouraging the establishment and support of reuse and repair networks, the use of economic instruments and promoting green and sustainable public procurement criteria. This program will replace the Waste Management Strategy of the Republic of Moldova. The overall objectives of the development of the waste management sector by 2027 are:

- providing effective waste collection and treatment service, with full coverage in urban areas, substantial coverage (up to 75%) in rural areas and the application of sustainable environmental management practices);
- increasing degree of preparedness for waste separation and recycling, (recovery of recyclable materials from households, recovery of recyclable materials from the commercial/institutional/industrial sector), adoption of new principles for transition to a circular economy in priority sectors, such as the industry of recyclable materials (glass, plastics, paper, etc.) the industry of construction and demolition materials and biodegradable waste and the promotion of organic agriculture;
- implementing of the EPR for capturing recyclable materials through the development of systems for collection and treatment of specific waste streams, including hazardous waste (such as WEEE, end-of-life vehicles, batteries and accumulators waste, waste oils, packaging waste, etc.);

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<sup>266</sup> [https://www.legis.md/cautare/getResults?doc\\_id=114412&lang=ro](https://www.legis.md/cautare/getResults?doc_id=114412&lang=ro)

<sup>267</sup> <http://old.madrm.gov.md/ro/content/anun%C5%A3-privind-ini%C8%9Biarea-elabor%C4%83rrii-proiectului-documentului-de-politici-publice-%E2%80%9Cprogramul>

- developing regional infrastructure for municipal waste treatment, including for hazardous waste, and to reduce the number of existing landfills and the area of land allocated for landfills.

The draft Government Decision for the approval of the Regulation on the criteria for determining the conditions under which copper, iron and steel waste and aluminum waste, shards of glass and compost cease to be waste and the Methodical Guidelines for the establishment of end of waste criteria are under development<sup>268</sup>. It is envisaged that it will be approved by the end of the 2022 year.

**38. Which instruments exist apart from legislation (e.g. economic instruments, waste management planning, extended producer responsibility schemes) to ensure implementation of waste management policies? How is the cooperation with municipalities and private sector ensured?**

The Government prioritizes the implementation of the principles of the circular economy, by applying environmental economic instruments, such as environmental payments and taxes, and promoting the principle and the concept of extended producer responsibility, thus preventing and minimizing the impact of economic activities on the environment. Thus, according to Art. 83 of Law No. 1515/1993 on environmental protection, the Government, through the National Environment Fund, finances programs and projects in the field of environmental protection, including waste collection and minimization, thus ensuring cooperation among municipalities and the private sector in the field of promotion of the green economy and the circular economy. The financial resources obtained from the environmental payments accumulated in the state budget and subsequently redistributed to the National Environment Fund are worth about 60 million lei/year. The dedicated budget line within the code 7002 Integrated Waste and Chemical Management Program also ensures the financial allocation for implementing activities on waste and chemicals.

Establishing the mechanism for full cost recovery in accordance with the polluter pays principle and the EPR principle is one of the priorities of the waste management policy. The legal framework on the polluter pays principle have been established by the *Law No. 1540/1998 on payment for environmental pollution* and there are several outdated approaches that need to be revised, particularly there is some overlapping with the EPR principles, included in the *Law No. 209/2016 on Waste*, for instance on regulating the packaging and packaging waste. Those exiting legal frameworks is going to be improved, where overlapping will be excluded, and new financial instruments shall be added. The polluter pays principle, stipulated by the framework *Law No. 1540/1998 on payment for*

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<sup>268</sup> <https://particip.gov.md/ro/document/stages/anunt-privind-organizarea-consultarii-publice-asupra-proiectului-hotararii-guvernului-privind-stabilirea-criteriilor-de-determinare-a-conditiilor-in-care-deseurile-de-cupru-deseurile-de-fier-si-otel-si-deseurile-de-aluminiu-cioburile-de-sticla-si-compostul-inceteaza-sa-mai-fie-deseuri-si-a-indicatiilor-metodice-privind-stabilirea-criteriilor-de-incetare-a-statutului-de-deseu/9115>

*environmental pollution*<sup>269</sup>, discourage the activity of the economic operator that causes the damage shall recuperate it. Also, according to Art. 11 of Law No. 1540/1998, the State charges for goods which, in the process of use, cause environmental pollution. Thus, producers or importers of some categories of goods and packaging specified in Art. 11 as being pollutants, pay a tax depending on the volume/weight and degree of toxicity of the product or packaging of the product.

Law No. 1540/1998 on payment for environmental pollution is currently in the process of being amended<sup>270</sup>, based on the best available practices in these domains in the EU and EaP countries, revising, amending and adjusting the existing payments for environmental pollution and taxes for natural resources in the Republic of Moldova.

The instruments indicated in the Law No. 1540/1998 tend to encourage the construction and operation of systems to capture and neutralize pollutants, collect, recycle and dispose of waste, as well as the implementation of non-polluting technologies, thus reducing the generation production waste and package waste.

Another *economic instrument to stimulate and cooperate with the private sector* to implement efficient waste management policies is the Greening of Small and Medium Enterprises Programme, adopted by Government Decision No. 592/2019<sup>271</sup>. One of the components of the programme is the award of grant support to small and medium-sized enterprises to implement green action plans on resource efficiency; application of sustainable production and consumption patterns; introduction of eco-innovations in technological processes; *pollution prevention, waste reduction, and management*, pollution prevention and management of water resources, etc. To ensure the enforcement of the principles of resource efficiency and low waste production through implementation of eco-innovations, eco-labelling, RECP and EIP, the Government has initiated procedures to develop a Program on the promotion of Green Economy in the Republic of Moldova and action plan for 2023-2027 have the priority to promote the green and circular economy and will cover objectives and priorities of the European Green Deal.

**EPR** is an environmental protection mechanism aimed at decreasing total environmental impact from a product, by ensuring that the producers of the product take responsibility for the entire lifecycle of their products especially in the take-back, recycling, and final disposal of their products. The primary responsibility of EPR lies with the producer, who makes designs and marketing decisions. In 2018, the Republic Moldova adoption several regulations on EPR implementation fully described in point 34 – WEEE Regulation, Packaging and Packaging Waste Regulation and the Batteries and Accumulators waste Regulations.

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<sup>269</sup> [https://www.legis.md/cautare/getResults?doc\\_id=117159&lang=ro](https://www.legis.md/cautare/getResults?doc_id=117159&lang=ro)

<sup>270</sup> <https://mediu.gov.md/ro/content/anun%C8%9B-privind-ini%C8%9Biere-elabor%C4%83rrii-proiectului-de-modificare-legii-nr-15401998-privind-plata>

<sup>271</sup> [https://www.legis.md/cautare/getResults?doc\\_id=119235&lang=ro](https://www.legis.md/cautare/getResults?doc_id=119235&lang=ro)

EPR legal framework in the Republic of Moldova approved during 2018-2020 and those that are developed aims to increase collection and recycling rates of the products and materials targeted and to shift financial responsibility from municipalities to producers. The basic feature of the EPR regulations listed under point 34 are that producers assume responsibility for managing the waste generated by their products put on the market. These regulations contain the following EPR instruments that may address specific aspects of waste management:

- Product take-back requirements, which require the producer or retailer to collect the product at the post-consumer stage and its applicable particularly for the WEEE, as incentives for consumers to bring the used product back to the selling point.
- Economic and market-based instruments, such as deposit-refund schemes for the car accumulators. It is intended to implement the deposit system for packaging as well.
- Accompanying information-based instruments, that imposing information requirements on producers such as reporting requirements, labelling of products and components, communicating to consumers about producer responsibility and waste separation, etc.

Being at initial phase of ERP implementation the Republic of Moldova faces many challenges (administrative and economic, challenges specific to the start-up phases of EPR programmes, lack of waste treatment infrastructure) arising in the development and running of an EPR scheme that need to be adapted to the specific economic, social and cultural context. One of the challenges to an effective EPR is misunderstanding of the roles and responsibilities of stakeholders-importers, collectors and recyclers, municipalities, consumers, and the PROs. Additionally, the country lacks the adequate enforcement mechanism and sanctioning options that are necessary to guarantee compliance in the EPR implementation.

In order to improve cooperation between EPR schemes - municipalities and private sector in implementing the Regulation on packaging and packaging waste, approved by Government Decision No. 561/2020, the Ministry of Environment establish the Working group (Order No. 12/2021). This working group will develop the draft Regulation on financial instruments for implementation of EPR for packaging, as well as the amendments to the Law No. 1540/1998 on payment for environmental pollution<sup>272</sup>.

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<sup>272</sup> [https://www.legis.md/cautare/getResults?doc\\_id=125113&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=125113&lang=ro#)

### 39. Which resources exist to ensure implementation of waste legislation?

In order to secure the investment sector, the Government has prioritized waste management as a key sector, which requires urgent interventions for the implementation of the Strategy, based on medium-term state budget planning to co-finance the sector. Signing in 2019 of the loan agreement with the EIB, which offers the Government of the Republic of Moldova the possibility to ensure gradual investments in a loan program of 100 million euros, planned for a period of 20 years with favorable conditions. Some important activities began with the establishment of the legal basis for accessing the investment.

In this sense, in 2020 there have been approved the Law No. 89/2020<sup>273</sup> for the ratification of the Financing Agreement between the Republic of Moldova and the European Investment Bank (EIB) regarding the implementation of the project “Solid Waste in the Republic of Moldova”, amounting to 25 million Euros. The timeliness of the Financing Agreement is determined by the need to implement the project” Solid Waste in the Republic of Moldova” at country level focused on waste management regions, which will allow the financing of projects at the regional level and modernization of the solid waste management infrastructure in the Republic of Moldova.

Thus, in order to streamline the implementation of the Investment Programme, the Republic of Moldova has planned financial sources in the state budget worth 110451.9 million. Lei(annually), which are reflected in Annex No. 6 to the "Expenditures for capital investments by budgetary authorities" of the Law no.205/2021 state budget for 2022<sup>274</sup> this amount was reconfirmed also at the revision of the budget for the year 2023 approved by the Government of the Republic of Moldova. The financial sources will be directed to the co-financing of infrastructure projects in the waste management regions, planned under the code 7002 Integrated Waste and Chemical Management Program.

In order to ensure the implementation of waste management policies, there are also economic instruments such as those provided for in Law No. 1540/1998<sup>275</sup> on the payment for environmental pollution, focusing on the principle: the polluter pays.

The financial resources obtained from the environmental payments accumulated to the state budget are subsequently redistributed to the National Environment Fund worth about 60 million lei/year within the 7002 Integrated Waste and Chemical Management Program, which ensures the co-financing of infrastructure projects in the field of waste management, focused on supporting the projects submitted by the Local Public Authorities for the development of waste collection

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<sup>273</sup> [https://www.legis.md/cautare/getResults?doc\\_id=122205&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=122205&lang=ro#)

<sup>274</sup> [https://www.legis.md/cautare/getResults?doc\\_id=129175&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=129175&lang=ro#)

<sup>275</sup> [https://www.legis.md/cautare/getResults?doc\\_id=125113&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=125113&lang=ro#)



services and sanitation of localities. At the same time, co-financing is also granted to the economic agents that develop projects with the application of technologies regarding the sorting of the processing and the recovery of waste, thus contributing to their reduction.

In the Republic of Moldova, the responsibility for municipal waste management belongs to the Local Public Administrations (LPA), which within the financial resources approved for this purpose by the local council for the respective budget year are empowered to develop an efficient integrated municipal waste management system., but the financial potential of these authorities is low. Respectively, for the support of the LPA, through the National Environment Fund from the state budget, projects worth 72370.49 million lei were co-financed during 2018-2021, contributing to the development of the waste management system. At the same time, the LPA benefited from financial support using the budget of the National Fund for Regional Development (FNDR) 5.5 million lei for the purchase of specialized equipment, necessary for the endowment of the sanitation services of the localities.

Technical assistance was also provided in the EU4 Environment Project, funded by the European Union, part of Project 2.4 "Using Strategic Approaches to Waste Management", through which UNEP supports the Ministry of Environment in developing the National Waste Management Program and the Action Plan for the period of 2022-2027. its implementation, thus contributing to the strengthening of the policy framework in the field of waste management by establishing actions to prevent waste generation, in accordance with the provisions and requirements of EU Directives.

## **D. Water Quality and Quantity**

**40. Please describe the legislative framework and enforcement as concerns water protection and water resources management, in particular:**

### **a) Water quality and water quantity**

Water Law No. 272/2011, launched in Republic of Moldova a new principle of water resources management and transposes Council Directive: 91/271/EEC of 21 May 1991 on urban waste water treatment and Directive 91/676/EEC of 12 December 1991 on the protection of waters against pollution caused by nitrates from agricultural sources, Directive 2000/60/EC of 23 October 2000 establishing a framework for Community action in the field of water resources; Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality and repealing Directive 76/160/EEC; Directive 2007/60/EC of the European Parliament and of the Council of 23 October 2007 on the assessment and management of flood risks and Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008

on environmental quality standards in the field of water policy, and it creates the necessary legal framework for water management, protection and use.

The Directive (UE) 2020/2184 of the European Parliament and of the Council of 16 dec 2020 on the quality of water intended for human consumption (recast) / Council Directive 98/83/EC on the quality of water intended for human consumption is transposed through Law No. 182/2019 on drinking water quality.

According to Water Law No. 272/2011 the following attributions are established:

- The Government coordinates the activity of all public authorities with responsibilities in the field of water, approves the normative framework for the implementation of the law;
- Ministry of Environment elaborates the policies, the normative acts, the plans that must be approved by the Government; ensures, jointly with the Ministry of Health, the coordination of the implementation and enforcement of legislation on water quality and protection; ensures international cooperation;
- Water Management Administrative Authority – Water Agency “Apele Moldovei” - participates in the development and implementation of policies, programs, plans and measures in water management, maintains surface water bodies;
- The Environmental Agency is responsible for monitoring and authorization for water use ;
- The Environmental Protection Inspectorate coordinates and exercises inspection and control activity in the field of water use and protection;
- Local public administration authorities ensure the maintenance of surface water bodies, areas and protection strips as a mandatory public service.

*The purpose of the law is to:* create a legal framework for the quantitative and qualitative management, protection and efficient use of surface water and groundwater based on participatory evaluation, planning and decision-making. It also ensures the use rights and promoting investments in the field of water, establishes a mechanism for the protection of the waters status, the prevention of any further degradation of water, the protection and restoration of the aquatic environment, the gradual and systematic convergence of their protection and management with EU environmental standards. The Law has also provisions that refers to establish a legal framework for international cooperation.

For the implementation of the provisions of the law, the secondary normative framework was elaborated and approved, being approve 19 normative acts. The list of normative acts can be accessed on the web page of the ministry.<sup>276</sup>

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<sup>276</sup><https://mediu.gov.md/ro/content/legisla%C8%9Bia-na%C8%9Bional%C4%83-%E2%80%93-politici-de-management-integrat-al-resurselor-de-ap%C4%83>

Ministry of Environment has initiated the process of amending<sup>277</sup> the Water Law No. 272/2011, to clarify issues related to the ownership regime, responsibilities for water body maintenance. The abovementioned amendments of legal framework are foreseen to be drafted till the end 2022. Another aspect that the Law regulates is the management and protection of surface and groundwater, including measures to prevent and combat floods, erosion and measures to combat drought and desertification.

## **b) Ground water and surface waters**

*Water Law No. 272/2011* establishes the general framework for surface and groundwater. Secondary legislation is elaborated and approved:

- *Government Decision No. 932/2013* for the approval of the Regulation on the monitoring and systematic recording of the state of surface water and groundwater;<sup>278</sup> sets a complex multi-annual system of quantitative and qualitative assessment of surface and groundwater by using procedures and technical measures for sampling, analysis and synthesis, in order to sustainably manage and capitalize on aquatic resources; responsibilities and tasks for the development, updating and implementation of programs for monitoring the status of surface water and groundwater.
- *Government Decision No. 890/2013* for the approval of the Regulation on environmental quality requirements for surface waters;<sup>279</sup> establishes the environmental quality requirements for surface waters and how to classify surface waters into quality classes.
- *Government Decision No. 931/2013* on the approval of the Regulation on groundwater quality requirements;<sup>280</sup> establishes the groundwater quality requirements and the rules on the state of groundwater, their management objectives, as well as the rules on the use and protection of groundwater against the effects of any type of pollution.
- *Government Decision No. 835/2013* on the approval of the Regulation on the evidence and reporting of used water;<sup>281</sup> establishes the way of recording and reporting the water used by water users, which operates on the basis of the environmental permit for the special use of water, regardless of the form of ownership and the source of water used.
- *Government Decision No. 881/2013* for the approval of the Methodology on the identification, delimitation, and classification of water bodies;<sup>282</sup> The methodology on the identification, delimitation and classification of water bodies establishes the methods for the identification and

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<sup>277</sup><https://mediu.gov.md/ro/content/anun%C8%9B-privind-ini%C8%9Biere-modific%C4%83rii-legii-apelor-2722011>

<sup>278</sup>[https://www.legis.md/cautare/getResults?doc\\_id=114533&lang=ro](https://www.legis.md/cautare/getResults?doc_id=114533&lang=ro)

<sup>279</sup>[https://www.legis.md/cautare/getResults?doc\\_id=114535&lang=ro](https://www.legis.md/cautare/getResults?doc_id=114535&lang=ro)

<sup>280</sup>[https://www.legis.md/cautare/getResults?doc\\_id=114534&lang=ro](https://www.legis.md/cautare/getResults?doc_id=114534&lang=ro)

<sup>281</sup>[https://www.legis.md/cautare/getResults?doc\\_id=114419&lang=ro](https://www.legis.md/cautare/getResults?doc_id=114419&lang=ro)

<sup>282</sup>[https://www.legis.md/cautare/getResults?doc\\_id=114424&lang=ro](https://www.legis.md/cautare/getResults?doc_id=114424&lang=ro)

delimitation of surface and groundwater bodies and the principles of their classification.

- *Government Decision No. 949/2013* for the approval of the Regulation on the sanitary protection areas of water intakes.<sup>283</sup> establishes norms for the delimitation, creation and operation of the sanitary protection zones of the water intakes from the surface and from the groundwaters.

The institutions responsible for the water resources monitoring, the Environment Agency and the Agency for Geology and Mineral Resources develop an Annual Program for surface and groundwater monitoring, under the provisions of *Government Decision No. 932/2013* for the approval of the Regulation on monitoring and systematic evidence of surface water and groundwater.

### c) Drinking water quality

*Law No. 182/2019 on drinking water quality*<sup>284</sup>, aims to protect human health against the harmful effects of drinking water contamination by ensuring that it is wholesome and clean. It establishes the legal framework on drinking water quality, as well as the measures undertaken by the responsible authorities to ensure drinking water quality compliance. The Law transposes Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption, and partially transposes Council Directive 2013/51/Euratom laying down requirements for the protection of the health of the general public with regard to radioactive substances in water intended for human consumption. The Law applied to centralized and individual systems. According to the law:

- the producers of drinking water and the operators ensure the operational monitoring, the compliance with the quality parameters and the financing of the audit monitoring and control of the drinking water quality.
- The National Agency for Public Health, including through its territorial subdivisions, ensures the audit monitoring of the quality of drinking water at any stage of water production (extraction, treatment, storage, distribution) and the quality of water sources for bottling, as well as the quality of bottled drinking water before placing it on the market, in order to verify the compliance of the water to be distributed to the consumer with the quality requirements and to prevent risks to public health;
- The National Agency for Food Safety ensures the supervision of the quality of drinking water used by food enterprises and the market surveillance of bottled drinking water.

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<sup>283</sup> [https://www.legis.md/cautare/getResults?doc\\_id=114430&lang=ro](https://www.legis.md/cautare/getResults?doc_id=114430&lang=ro)

<sup>284</sup> [https://www.legis.md/cautare/getResults?doc\\_id=119769&lang=ro](https://www.legis.md/cautare/getResults?doc_id=119769&lang=ro)

To implement the provisions of Law No. 182/2019, the draft Health Regulation on the surveillance and monitoring of drinking water quality is currently being developed (included in the Action Plan of the Ministry of Health for the year 2022).

*Government Decision No. 1466/2016* for the approval of the Sanitary Regulation on small drinking water supply systems<sup>285</sup> establishes public health requirements for water quality, the choice of location, arrangement and operation of water catchment, storage and distribution facilities, as well as the related territory, aims to regulate the provision of safe drinking water supply to the population, and elimination of possible pollution of drinking water supply systems.

*Government Decision No. 1063/2016* on the approval of the National Program for the implementation of the Protocol on Water and Health in the Republic of Moldova for 2016-2025<sup>286</sup> aims at improvement of the quality of life of the population and access to safe drinking water and improvement of sanitation by planning the necessary measures to ensure the achievement of the target indicators of the Water and Health Protocol.

*Government Decision No. 199/2014* on the approval of the Water Supply and Sanitation Strategy (2014-2028)<sup>287</sup> that aims to present an updated and detailed path for the development of the water supply and sanitation fields, both in the medium term (until 2018) and in the long term (until 2028) and for ensuring the human right to safe drinking water as a fundamental right. The general objective of the Strategy is to ensure the gradual access to safe water and adequate sanitation for all localities and the population of the Republic of Moldova, thus contributing to the improvement of health, dignity, and quality of life and to the economic development of the country.

#### **d) Bathing water quality**

At the moment, the quality of the bathing water is regulated by the *Government Decision No. 737/2002* on the regulation of the operation of recreation areas related to water basins.<sup>288</sup> which transposes Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality and repealing Directive 76/160/EEC.

In order to update the regulations on water quality in swimming pools, the draft Sanitary Regulation on the operation and maintenance of swimming pools is currently being developed (included in the Action Plan of the Ministry of Health for the year 2022, are foreseen to be adopted till the end 2022).

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<sup>285</sup> [https://www.legis.md/cautare/getResults?doc\\_id=102619&lang=ro](https://www.legis.md/cautare/getResults?doc_id=102619&lang=ro)

<sup>286</sup> [https://www.legis.md/cautare/getResults?doc\\_id=102596&lang=ro](https://www.legis.md/cautare/getResults?doc_id=102596&lang=ro)

<sup>287</sup> [https://www.legis.md/cautare/getResults?doc\\_id=122590&lang=ro](https://www.legis.md/cautare/getResults?doc_id=122590&lang=ro)

<sup>288</sup> [https://www.legis.md/cautare/getResults?doc\\_id=30951&lang=ro](https://www.legis.md/cautare/getResults?doc_id=30951&lang=ro)

## e) Urban wastewater treatment

The legal framework regarding the regulation of the urban wastewater treatment is addressed in the *Water Law No. 272/2013* which transposes Council Directive 91/271/EEC of 21 May 1991 concerning urban waste-water treatment as amended by Directive 98/15/EC and Regulation (EC) No 1882/2003 (Articles 39, 40, 41, 42 -which sets wastewater treatment requirements in urban and rural localities, regulation of wastewater discharge) and the *Law No. 303/2013* on the public water supply and sewerage service (Art. 22)<sup>289</sup>. *Law No. 303/2013* establishes the creation of the legal framework for the establishment, organization, management, regulation and monitoring of the operation of the public service of drinking water, technology, sewerage and domestic and industrial wastewater treatment in conditions of accessibility, availability, reliability, continuity, competitiveness, transparency, in compliance with the norms of quality, safety and environmental protection.

*Government Decision No. 950/2013* for the approval of the Regulation on the requirements for the collection, treatment, and discharge of wastewater into the sewerage system and / or water bodies for urban and rural localities;<sup>290</sup> establishes requirements for the operation of wastewater collection systems and for the operation of treatment plants. Also, the Governmental Decision has provisions related to the protection of quality of water resources establishing the methodology for calculating the additional payments for the discharge of wastewater into the public sewerage system in excess of the established pollutants. The Regulations include the limits as well that should be respected in the process of wastewater disposal.

*Government Decision No. 802/2013* for the approval of the Regulation on the conditions for the discharge of wastewater into water bodies.<sup>291</sup> which aims to regulate the conditions of discharge, introduction of specific substances in a body of surface water, in a body of groundwater or in the lands of the water fund. The Regulation transposes partially the Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control); Commission Directive 2009/90/EC of 31 July 2009 laying down, pursuant to Directive 2000/60/EC of the European Parliament and of the Council, technical specifications for chemical analysis and monitoring of water status; Council Directive 91/271/EEC of 21 May 1991 concerning urban waste-water treatment; Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy; Directive 2006/11/EC of the European Parliament and of the Council of 15 February 2006 on pollution caused by certain dangerous substances discharged into the aquatic environment of the Community as well Directive 2006/44/EC of the European Parliament and of the

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<sup>289</sup> [https://www.legis.md/cautare/getResults?doc\\_id=129126&lang=ro](https://www.legis.md/cautare/getResults?doc_id=129126&lang=ro)

<sup>290</sup> [https://www.legis.md/cautare/getResults?doc\\_id=121389&lang=ro](https://www.legis.md/cautare/getResults?doc_id=121389&lang=ro)

<sup>291</sup> [https://www.legis.md/cautare/getResults?doc\\_id=114418&lang=ro](https://www.legis.md/cautare/getResults?doc_id=114418&lang=ro)

Council of 6 September 2006 on the quality of fresh waters needing protection or improvement in order to support fish life. Regulation establishes:

- specific substances which are introduced into surface waters for fishing or aquaculture purposes, but which do not have a negative impact on the quality of the receiving waters and for which it is not necessary to obtain the conditions for the discharge of waste water;
- priority hazardous substances which, because of their hazardous nature or the increased risk to the environment, cannot be discharged into surface and groundwater bodies or into groundwater;
- requirements for the discharge of hazardous substances, other than priority hazardous substances;
- the requirements regarding the evacuation of the drainage water from the land in case it could cause a serious water pollution or the observance of the environmental quality requirements.

#### **f) Marine environmental protection**

From the point of view of water resources management, the country's territory is divided into 2 river basin districts: Dniester and Danube - Prut and the Black Sea. Thus, for the 2 hydrographic districts, Management Plans were developed and approved, accompanied by action plans, meant to contribute to the protection of the water resource and the improvement of its quality. The main elements of protection and improvement of quality is focused on gradual reduction of pollution of surface and groundwater resources from point and diffuse land-based sources.

Measures for protection against pollution, wastewater treatment and quality standards are described in points 40, 41, 42.

#### **41. Are waters subject to general protection or is this protection restricted to certain bodies of water or waters for certain use (e.g. drinking water extraction, bathing waters), or are there special protection areas apart from general provisions?**

Water resources are subject to general protection, as well as there are specific regulations. For example, drinking water is regulated by a special *Law No. 182/2019* on the quality of drinking water<sup>292</sup>, which aims to protect human health against adverse effects of contamination of drinking water by ensuring its safety and purity.

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<sup>292</sup> [https://www.legis.md/cautare/getResults?doc\\_id=119769&lang=ro](https://www.legis.md/cautare/getResults?doc_id=119769&lang=ro)

Specific particularities regarding the exploitation of groundwater are also found in the *Basement Code (Code no. 3 /2009)*, Art. 63 regulates the particularities of the exploitation of groundwater deposits<sup>293</sup>.

*Law No. 440/1995* on the protection zones and strips of river waters and water basins<sup>294</sup> regulates the creation of riparian protection zones of waters and strips for the protection of rivers and water basins, their regime of use and their protection activity.

*Government Decision No. 890/2013* for the approval of the Regulation on environmental quality requirements for surface waters<sup>295</sup>, (transposes Annex V and Annex X to Directive 2000/60 / EC establishing a framework for Community action in the field of water resources; as well as Annex I to Directive 2008/105 / EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water) which sets out the environmental quality requirements for surface waters and how to classify surface waters into quality classes.

*Government Decision No. 931/2013* on the approval of the Regulation on groundwater quality requirements<sup>296</sup>, (Partially transposes Article 4 and Annex V of Directive 2000/60 / EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy and Directive 2006/118 / EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and damage,) establishes both groundwater quality requirements, as well as the norms regarding the state of groundwater, their management objectives, as well as the norms regarding the use and protection of groundwater against the effects of any type of pollution.

*Government Decision No. 949/2013* for the approval of the Regulation on the areas of sanitary protection of water intakes<sup>297</sup>, establishes norms for delimitation, creation and operation of areas sanitary protection of water intakes from surface and groundwater.

#### **42. Does the existing legislation provide for principles such as prevention of pollution at source, emissions control and water quality standards, including marine waters?**

The legal framework on the environment and water resources management contains provisions on principles for preventing pollution of water resources. The

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<sup>293</sup> [https://www.legis.md/cautare/getResults?doc\\_id=106633&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=106633&lang=ro#)

<sup>294</sup> [https://www.legis.md/cautare/getResults?doc\\_id=16173&lang=ro](https://www.legis.md/cautare/getResults?doc_id=16173&lang=ro)

<sup>295</sup> [https://www.legis.md/cautare/getResults?doc\\_id=114535&lang=ro](https://www.legis.md/cautare/getResults?doc_id=114535&lang=ro)

<sup>296</sup> [https://www.legis.md/cautare/getResults?doc\\_id=114534&lang=ro](https://www.legis.md/cautare/getResults?doc_id=114534&lang=ro)

<sup>297</sup> [https://www.legis.md/cautare/getResults?doc\\_id=29970&lang=ro](https://www.legis.md/cautare/getResults?doc_id=29970&lang=ro)



institutions responsible for monitoring are described in points 40, 43. In the *Water Law No. 272/2011* Chapter V is dedicated to the principles of Water Protection. At the same time, there are normative acts specific to this subject: *Government Decision No. 890/2013* for the approval of the Regulation on the environmental quality requirements for surface waters, *Government Decision No. 931/2013* on the approval of the Regulation on groundwater quality requirements; *Government Decision No. 950/2013* for the approval of the Regulation on the requirements for the collection, treatment, and discharge of wastewater into the sewerage system and/or water bodies for urban and rural localities. The Regulation sets limits for pollutants when water is discharged into the sewer system and into the emissary.

*Law No. 1515/1993* on environmental protection<sup>298</sup>, in Section 2 (Art.44-49) regulates the protection of water resources and aquatic ecosystems- groundwater with its biocenosis, surface waters (watercourses, natural and accumulation lakes, their wetlands) together with their natural resources, their specific biocenosis and sanitary and water protection areas. The sections include completion to the obligations of the state authorities related to the control, and application of needed measures in order to prevent unbalanced eutrophication of surface water and groundwater pollution with nitrates, pesticides and other toxic products. Other regulatory aspects refer to economic entities obligations towards the usage of aquatic resources.

*Government Decision No. 836/2013* for the approval of the Regulation on the prevention of water pollution from agricultural activities<sup>299</sup>, establishes the way to identify the polluted waters from agricultural activities, as well as identification and delimitation of vulnerable areas.

The Regulation also provides for the development of an action program to prevent water pollution from agricultural activities and codes of good agricultural practice. The document also provides a clear mechanism on identification of polluted waters from agricultural activities, identification and designation of vulnerable zones, and measures to prevent water pollution with phytosanitary products.

As the Republic of Moldova has no direct access to the sea, there are no specific regulations for marine waters, but through the mentioned regulations the aim is to reduce the pollution in the rivers, which flows into the sea.

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<sup>298</sup> [https://www.legis.md/cautare/getResults?doc\\_id=130524&lang=ro](https://www.legis.md/cautare/getResults?doc_id=130524&lang=ro)

<sup>299</sup> [https://www.legis.md/cautare/getResults?doc\\_id=114420&lang=ro](https://www.legis.md/cautare/getResults?doc_id=114420&lang=ro)

**43. What is the state of play of the monitoring and reporting systems for water quality standards, marine waters and its biodiversity and habitats, water levels, flows in rivers, nitrates, drinking water, groundwater, urban waste water discharges and bathing water?**

*The monitoring of the surface water quality in the Republic of Moldova is conducted according to the provisions of the Government Decision No. 932/2013 for the approval of the Regulation on the monitoring and systematic evidence of the state of surface water and groundwater<sup>300</sup>, based on water quality monitoring programs approved annually and implemented by the Environment Agency (Environmental Reference Laboratory). The programs are published on the official website of the Environment Agency<sup>301</sup>.*

Given that the Republic of Moldova is a landlocked country, there is no monitoring of marine waters. The monitoring network is focused on rivers, which flow into the sea.

The surface water quality monitoring network in the Republic of Moldova includes 49 monitoring sections located on 34 large and small rivers, 6 reservoirs and 2 natural lakes.

The obligations and responsibilities of economic actors regarding the monitoring of urban wastewater discharge are established in the Regulation on the requirements for collection, treatment and discharge of wastewater in the sewerage system and/or in outfalls for urban and rural localities, approved by Government Decision No. 950/2013.<sup>302</sup>

Data on the quantity and quality of discharged wastewater are submitted to the Water Agency “Apele Moldovei”, which annually prepares the Water Use Report which is subsequently submitted to the National Bureau of Statistics.

*The Environment Agency (Environmental Reference Laboratory) analyzes:*

Seventy-two hydro chemical parameters (physic-chemical indicators, oxygen regime indicators, biogenic elements, heavy metals, nitrates, organic pollutants, organochlorine pesticides and polyaromatic hydrocarbons);

Six groups of hydrobiological elements (phytoplankton, including chlorophyll “a”, zooplankton, Phyto benthos, Macrozoobentos, macrophytes and aquatic microbiology).

Based on the *Bilateral Agreement between the Republic of Moldova and Romania*, joint investigations are conducted on the water quality of the Prut River in seven

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<sup>300</sup> [https://www.legis.md/cautare/getResults?doc\\_id=114533&lang=ro](https://www.legis.md/cautare/getResults?doc_id=114533&lang=ro)

<sup>301</sup> <https://am.gov.md/sites/default/files/document/attachments/Program%20de%20monitoring%202022.pdf>

<sup>302</sup> [https://www.legis.md/cautare/getResults?doc\\_id=121389&lang=ro](https://www.legis.md/cautare/getResults?doc_id=121389&lang=ro)

monitoring sections, established by mutual agreement, according to 24 hydro chemical indicators.

Based on the *Bilateral Agreement between the Republic of Moldova and Ukraine*, joint investigations, and mutual exchange of information on the water quality of the Prut and Dniester rivers are conducted in 3 cross-border sections.

Based on the *Convention on Cooperation for the Protection and Sustainable Use of the Danube River*, monitoring is conducted in five established sections of the Transnational Monitoring Network according to 72 hydro chemical parameters and five hydrobiological indicators.

To warn on transboundary pollution in the Danube River basin, the AEWS (Accident Emergency Warning System) alert system operates 24/7 and is effective in the event of a pollution risk of transboundary watercourses in the Danube River basin and when the hazard levels or the maximum permissible concentration for dangerous substances are exceeded. AEWS sends international warning messages to downstream countries that may be at risk of pollution. This intervention helps the authorities to take urgent measures to protect the environment and the population.

The evaluation of surface water quality is conducted in accordance with the provisions of *Government Decision No. 890/2013* for the approval of the Regulation on environmental quality requirements for surface waters<sup>303</sup>. Based on the results of the surface water quality monitoring, the Environment Agency assigns to the water bodies the corresponding quality class according to the system of 5 classes: class I (very good), class II (good), class III (moderately polluted), class 4 (polluted), class 5 (heavily polluted).

The data obtained as result of monitoring are included monthly by Water Agency “Apele Moldovei” in the *Automated Information System “State Cadaster of Waters”*. (SIA CSA)<sup>304</sup> According to the SIA CSA Concept approved by *Government Decision No. 491/2019, point 14 subpoint 4)* the outline “Surface water monitoring”, which includes the following functions:

- - post hydrometric record of the river.
- - post hydrometric evidence of the lake.
- - evidence of quality sampling point in surface waters.
- - evidence of data characterizing the quality of surface water in terms of aquatic objects.
- - evidence of data characterizing the sources of point pollution.<sup>305</sup>

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<sup>303</sup> [https://www.legis.md/cautare/getResults?doc\\_id=114535&lang=ro](https://www.legis.md/cautare/getResults?doc_id=114535&lang=ro)

<sup>304</sup> [www.csa.gov.md](http://www.csa.gov.md)

<sup>305</sup> [https://www.legis.md/cautare/getResults?doc\\_id=118915&lang=ro](https://www.legis.md/cautare/getResults?doc_id=118915&lang=ro)

***The national groundwater monitoring network*** consists of 185 monitoring points (samples), of which 14 monitoring points in the Prut River basin and 55 monitoring points in the Dniester River basin are equipped with sensors (Levellogger and Barologger) for automatic recording of data.

The objectives of monitoring are to assess the quantitative and qualitative status of groundwater bodies, determining the trend of changing the quantitative and qualitative parameters under the influence of the natural and anthropogenic factors as well as detecting the upward trends of pollutant concentrations.

Groundwater monitoring is conducted in accordance with the provisions of *Government Decision No. 932/2013* for the approval of the Regulation on the monitoring and systematic record of the state of surface water and groundwater.

Monitoring is performed by types: *operational monitoring and surveillance monitoring*.

*Operational monitoring* (31 monitoring points) aims to conduct a general study on seasonal changes in groundwater quality and quantity. The probes samples that are included in the operational monitoring were selected following the results of the surveillance monitoring, which shows some changes in the chemical parameters, as well as the evaluation of the changes in the quantitative parameters. The chemical status of groundwater is monitored in 23 monitoring wells and 8 monitoring springs.

The operational monitoring parameters are:

- *Quantitative* (groundwater level in wells and discharge to springs, including piezometric pressure in the case of transboundary water bodies) (4 measurements per year);
- *Qualitative* (block 1-3 of annex no. 2 to *Government Decision No. 932/2013*) chemical parameters and indicators (temperature, electrical conductivity) (2 annual trials).

*Surveillance monitoring* (154 monitoring points, performed based on quantitative parameters: groundwater level in wells and discharge to springs, including piezometric pressure in the case of transboundary water bodies), (10 level measurements / month).

The monitoring program is developed by the Agency for Geology and Mineral Resources, previously consulted with the specialized body of the central public administration in the field of health and with scientific institutions and approved by the Ministry of Environment.<sup>306</sup>

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<sup>306</sup> <http://agrm.gov.md/ro/activitate/planuri>

Groundwater monitoring data is published annually and contains the map of the location of the groundwater monitoring network, the map of groundwater bodies, the groundwater level.<sup>307</sup>

Information on the quality and quantity of groundwater is entered annually in the State Cadaster of Waters.

***The monitoring of drinking water quality*** is conducted according to Chapter III (Art. 7-11) of *Law No. 182/2019* on drinking water quality.<sup>308</sup>

According to the law, the monitoring of drinking water quality is ensured by the producer, operator and public authorities as follows:

- the producers of drinking water and the operators ensure the operational monitoring, the compliance with the quality parameters and the financing of the audit monitoring and control of the drinking water quality;
- The National Agency for Public Health, including through its territorial subdivisions, ensures the audit monitoring of the quality of drinking water at any stage of water production (extraction, treatment, storage, distribution) and the quality of water sources for bottling, as well as the quality of bottled drinking water before placing it on the market, in order to verify the compliance of the water to be distributed to the consumer with the quality requirements and to prevent risks to public health;
- The National Agency for Food Safety ensures the supervision of the quality of drinking water used by food enterprises and the market surveillance of bottled drinking water.

***Monitoring and control of bathing water quality*** is regulated by Government Decision No. 737/2002 on the regulation of the operation of recreation areas related to water basins.<sup>309</sup>

The control of the water quality of the water basins is carried out based on the indicators specified in Annex No. 1 to the hygienic *Regulation "Protection of water basins against pollution"* No. 06.6.3.23 /1997, approved by the Ministry of Health<sup>310</sup>.

***The hydrological monitoring system*** (HMS) consists of the central structures and the hydrological monitoring network and ensures the monitoring of the state and evolution of the hydrological regime of the surface waters in the hydrographic network of the country, having the following functions:

- monitoring the hydrological regime of surface waters, by observations and measurements through the network of hydrological stations;

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<sup>307</sup> <http://geologie.gov.md/>

<sup>308</sup> [https://www.legis.md/cautare/getResults?doc\\_id=119769&lang=ro](https://www.legis.md/cautare/getResults?doc_id=119769&lang=ro)

<sup>309</sup> [https://www.legis.md/cautare/getResults?doc\\_id=105055&lang=ro](https://www.legis.md/cautare/getResults?doc_id=105055&lang=ro)

<sup>310</sup> <http://amac.md/Biblioteca/data/30/03/01.01.1.pdf>

- elaboration of hydrological forecasts, issuance of warnings regarding the triggering of dangerous hydrological phenomena, publication of annual and multiannual synthesis data;
- organizing and conducting hydrographic research, exchange of data and information with subsidiary institutions and academia;
- the exchange of information within the world system of hydrological observations, by fulfilling the obligations resulting from the international conventions to which the Republic of Moldova is a party.

**The hydrological monitoring network** (HMN) represents the totality of computer systems, stations, organized for observations and measurements of the surface water regime, meteorological conditions, and data collection. HMN provides the necessary information for operational decisions making for prevention of dangerous hydrological phenomena, water management and elaboration of the river basin management plan.<sup>311</sup>

There are currently 52 hydrological stations in the Republic of Moldova, of which:

- 25 are classic stations,
- 16 have classic and automatic functions,
- 11 are automatic stations.

Therefore, the measurement approach, the location of the site, as well as the age of the sensors show that they are within sensitive limits and are suitable for the operation of a hydrological monitoring network.

*Methods of observation and measurement:*

Within SHS, hydrological monitoring is performed by two methods:

- classic - measurements and manual observations, made by observers twice a day (08:00 and 20:00), without interruption. The data collected shall be transmitted by telephone by observers, in exceptional cases more frequently and shall be recorded in Hydrological Notebooks. The parameters observed in the classic stations are the following:

- water flow;
- water level;
- alluvium runoff;
- water temperature;
- the ice regime.

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<sup>311</sup>[http://old.meteo.md/hidro/seti\\_hidro.htm](http://old.meteo.md/hidro/seti_hidro.htm)

The hydrometeorological observations are made according to the WMO Guide, vol. I, II no. 168 and the Internal Instructions, approved by *SHS Order No. 22/2022*.<sup>312</sup>

- *automated* - hydrometeorological measurements in automated mode based on sensors without the involvement of the observer. The collected data are transmitted online to the specialized server and are processed using hydrological information systems (Dniester - "Hydras" and Prut - "Hydrodata"). Only the water level and temperature are monitored through automated stations.<sup>313</sup>

#### *Data and information*

Data from 27 automated hydrological stations is automatically stored on the SHS server, but there is no automated mechanism or software for their automatic processing. Data from the Prut Basin are received every 4 hours, while data from the Dniester Basin are received every 15 minutes.

According to the main tasks and methods of providing information to the consumer, SHS develops, disseminates, and distributes specialized hydrological information, through various channels according to the Scheme for the dissemination of hydrological forecasts and warnings, approved annually within SHS.

At the same time, SHS continuously develops and distributes to consumers the following types of specialized information:

- Daily hydrological bulletins to consumers;<sup>314</sup>
- Monthly hydrological characteristic;<sup>315</sup>
- Bulletin on high spring waters;<sup>316</sup>
- Hydrological warnings;<sup>317</sup>
- Hydrological directories and guidance on surface water regime and resources.<sup>318</sup>

#### **44. What measures have been taken so far to prevent water pollution from nutrients coming from agriculture? Are these measures equivalent to the provisions of the Nitrates Directive?**

Water Law No. 272/2011 has transposed the basic elements of the Council Directive No. 91/676/EEC concerning the protection of waters against pollution

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<sup>312</sup> [http://www.meteo.md/index.php/arch\\_special\\_edition\\_shs\\_3234mfs45/ordine](http://www.meteo.md/index.php/arch_special_edition_shs_3234mfs45/ordine)

<sup>313</sup> <http://www.meteo.md/index.php/ro/maps/moldova>

<sup>314</sup> [http://www.meteo.md/images/uploads/Hydro/raport/Buletin\\_28\\_04\\_2022.pdf](http://www.meteo.md/images/uploads/Hydro/raport/Buletin_28_04_2022.pdf)

<sup>315</sup> <http://old.meteo.md/mold/nsproghid.htm>

<sup>316</sup> [http://old.meteo.md/mold/prognoza AMP\\_2022.pdf](http://old.meteo.md/mold/prognoza AMP_2022.pdf)

<sup>317</sup> <http://www.meteo.md/index.php/hidrologie/prognoze-i-avertizri/>

<sup>318</sup> [http://www.meteo.md/images/uploads/Hydro/anuar\\_2021.pdf](http://www.meteo.md/images/uploads/Hydro/anuar_2021.pdf)

caused by nitrates from agricultural sources has been harmonized by *Water Law No. 272/2011*. Thus, Art. 43 of the Water Law contains rules on the prevention of pollution from agricultural activities.<sup>319</sup> Also, in the context of the implementation of the provisions of the *Water Law No. 272/2011*, the Government of the Republic of Moldova approved, by *Government Decision No. 836/2013* Regulation on the prevention of water pollution from agricultural activities<sup>320</sup>. The Regulation establishes the identification of polluted waters from agricultural activities, as well as the identification and delimitation of vulnerable zones, and transposes Directive 91/676/EEC.

In support to the prevention of pollution resulting from agricultural activities, in 2020 the Ministry of Agriculture, Regional Development and Environment have approved through Ministerial Order a Code of good agricultural practices on water protection against nitrate pollution from agricultural sources<sup>321</sup>. The purpose of the Code is to protect aquatic resources exposed to pollution from nitrates from agricultural sources. It proposes alternative methods of applying chemical fertilizers used by agricultural producers, to reduce the negative effect of nitrates on the environment, and on aquatic resources.

In the context of identifying and designating areas vulnerable to nitrates from agricultural sources, the Government of the Republic of Moldova has approved, through Annex No. 1 to the *Government Decision No. 736/2020*, the Methodology for identifying and designating areas vulnerable to nitrates<sup>322</sup>. The methodology transposes art. 1, art. 2 lit. (i) and (k), art. 3 and 6 and Annex I of the Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources. In order to establish / review and / or complete nitrate vulnerable zones, the Environment Agency and the Agency for Geology and Mineral Resources, according to the provisions of point 30 of Government Decision No. 736/2020 will draw up the reports on the monitoring of nitrate concentration and will check the state of water eutrophication every 4 years from the moment of identification and initial designation of areas vulnerable to nitrates.

In the context of the implementation of Art. 43 (2) lit. c) of *Water Law No. 272/2011*, the Government Decision No. 836/2013 on the Regulation on the prevention of water pollution from agricultural activities was approved, Chapter IV provides that “for the prevention of water pollution from agricultural activities, the central body of public administration in agriculture, together with the central body of public administration in the Environment shall draw up a program of action to prevent water pollution from agricultural activities”. For the purpose of implementing this provision, the Ministry of the Environment has initiated the

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<sup>319</sup> [https://www.legis.md/cautare/getResults?doc\\_id=121479&lang=ro](https://www.legis.md/cautare/getResults?doc_id=121479&lang=ro)

<sup>320</sup> [https://www.legis.md/cautare/getResults?doc\\_id=114420&lang=ro](https://www.legis.md/cautare/getResults?doc_id=114420&lang=ro)

<sup>321</sup> <https://www.mediu.gov.md/ro/content/codul-de-bune-practici-agricole-privind-protect%C8%9Bia-apelor-%C3%AEmpotriva-polu%C4%83rii-cu-nitra%C8%9Bi-din>

<sup>322</sup> [https://www.legis.md/cautare/getResults?doc\\_id=123729&lang=ro](https://www.legis.md/cautare/getResults?doc_id=123729&lang=ro)



elaboration of the Concept on the elaboration of the Program on the protection of waters against pollution with nitrates from agricultural source<sup>323</sup>.

The Program on the Protection of water against nitrate pollution from agricultural sources will be included as a component in the Dniester River Basin Management Plans (initiated - developed the Concept, follow to be developed and approved by 2023)<sup>324</sup>, Danube-Prut and Black Sea (final, to be approved at the Government meeting to be approved until the end of 2022)<sup>325</sup> – where areas vulnerable to nitrates from agricultural sources will be identified and mapped together with a series of measures to be implemented to prevent and protect against nitrate pollution.

**45. Is a system of River Basin Management being developed to ensure water quality and quantity management as well as flood risk management and if so, how?**

The implementation of the river basin management principle at national level through the Management Plans, contributes to the promotion of sustainable water use based on a long-term protection of available water resources, contributes to preventing further deterioration, conservation, and quality improvement of aquatic ecosystems, reduces the risk of pollution, contributes to mitigating the effects of floods and droughts, etc.

Directive No. 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy has been transposed in the *Water Law No. 272/2011*<sup>326</sup>. The *Water Law No. 272/2011* establishes a new principle of water resources management – **water resources management based on the river basin**, Art. 5 of the Water Law stipulates that the **management of water resources** of the Republic of Moldova is carried out based on the Dniester River basin and the Danube-Prut and Black Sea River basin, called **river basin districts**.

Also, according to the provisions of Art. 19 of the Water Law, **the river basin district is managed based on a management plan, approved by the Government** which provides measures for the implementation of national policy documents in the field of water resources.

In the context of the execution of the *Water Law No. 272/2011*, the Government of the Republic of Moldova approved the *Government Decision No. 775/2013* on

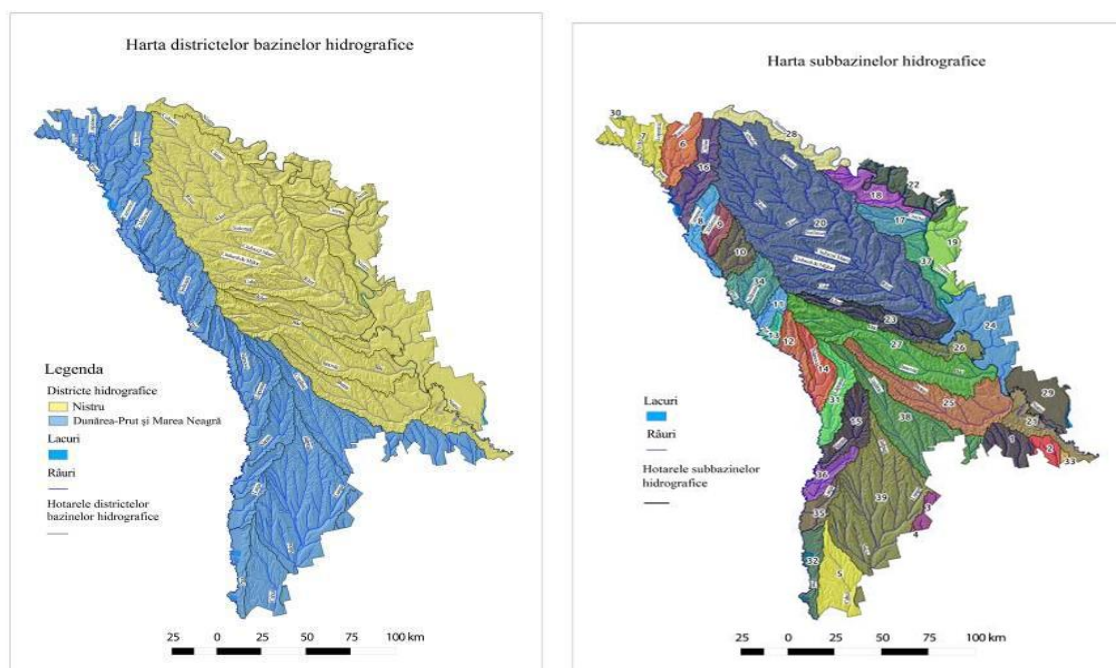
<sup>323</sup> <https://mediu.gov.md/ro/content/anun%C8%9B-privind-ini%C8%9Bierea-elabor%C4%83rii-programului-privind-protec%C8%9Bia-apelor-%C3%AEmpotriva-polu%C4%83rii>

<sup>324</sup> <http://old.madrm.gov.md/ro/content/anun%C8%9B-privind-ini%C5%A3ierea-elabor%C4%83rii-ciclului-ii-al-programului-de-gestionare-bazinului-0>

<sup>325</sup> <https://particip.gov.md/ro/document/stages/proiectul-hotaririi-de-guvern-cu-privire-la-aprobarea-programului-de-gestionare-a-districtului-bazinului-hidrografic-dunarea-prut-si-marea-neagra-ciclul-ii-2022-2027/8990>

<sup>326</sup> [https://www.legis.md/cautare/getResults?doc\\_id=121479&lang=ro](https://www.legis.md/cautare/getResults?doc_id=121479&lang=ro)

the boundaries of the districts of river basins and sub-basins and the special maps in which they are determined.<sup>327</sup> Thus, according to the provisions of the Government Decision No. 775/2013 from the point view of water resources management, on territory of the Republic of Moldova were delimited the borders of 2 river basins: Dniester, Danube-Prut and Black Sea, and 39 sub-river basins.



*Government Decision No. 866/2013*, the Regulation on the procedure for the elaboration and revision of the Management Plan of the river basin district<sup>328</sup> was approved, being the basis for the subsequent elaboration of the Management Plans. The Regulation on the procedure elaboration and revision of the Management Plan of the river basin district, partially transposes Articles 5, 11, 13, 14 and Annex VII to Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy, and aims to establish the procedure for developing the River Basin District Management Plan for each river basin district, as well as the procedure for its analysis and revision, in accordance with the provisions of Art. 19 paragraph (3) of the Water Law No. 272/2011.

According to the Government Decision No. 866/2013, the purpose of elaborating the River Management Plan is to ensure the management, protection and efficient use of water resources and related ecosystems of the river basin district, in order to gradually achieve the provided environmental objectives. The management plan shall include environmental objectives relating to the focused mainly on achieving good ecological status of water resources through the protection of surface and groundwater, protected areas in the river basin district, the rehabilitation of aquatic and terrestrial ecosystems, the prevention of damage and the long-term

<sup>327</sup> [https://www.legis.md/cautare/getResults?doc\\_id=62680&lang=ro](https://www.legis.md/cautare/getResults?doc_id=62680&lang=ro)

<sup>328</sup> [https://www.legis.md/cautare/getResults?doc\\_id=114421&lang=ro](https://www.legis.md/cautare/getResults?doc_id=114421&lang=ro)

sustainability of improvement, restoration of water bodies, prevention of their deterioration, as well as the deadlines for achieving these objectives.

In order to implement the provisions of Art. 19 of the Water Law No. 272/2011 with reference to the Management Plan of the river basin district, as well as for the efficient and sustainable management of water resources, by *Government Decision No. 814/2017*, the management plan of the Dniester River basin district<sup>329</sup> was approved, and by *Government Decision No. 955/2018*, the Danube-Prut and Black Sea District Management Plan<sup>330</sup>, documents that constitute the main river basin management tool. Thus, the implementation of the basin management principle at national level through the Management Plans, contributes to the promotion of sustainable water use based on a long-term protection of available water resources, contributes to preventing further deterioration, conservation, and improvement of aquatic ecosystems, reduces the risk of pollution, contributes to mitigating the effects of floods and droughts, etc.

According to the provisions of the *Water Law No. 272/2011*, River Basin District Management Plans shall be reviewed every 6 years. At the moment, the Ministry of Environment is finalizing and will submit to the Government for approval (until the end of 2022) the Danube-Prut River Basin and Black Sea District Management Plan cycle II (2022-2027)<sup>331</sup>, as well as development of the Dniester River Basin Management Plan initiation for cycle II (2023-2028),

*Examples include:*

- Botna River Basin Management Plan (2021-2027).<sup>332</sup>
- Local climate change adaptation plan for the Ichel River basin.<sup>333</sup>
- The socio-ecological situation in the Răut river basin.<sup>334</sup>
- Assessment of water resources in the Răut river basin and mapping of Dondușeni springs.<sup>335</sup>
- Assessment of the state of water resources in the Naslavcea-Vasilcău hydrographic sub-basin.<sup>336</sup>
- Identification and hydrochemical evaluation of springs in the Lăpușna sub-basin.<sup>337</sup>
- Camenca river basin management plan.<sup>338</sup>

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<sup>329</sup> [https://www.legis.md/cautare/getResults?doc\\_id=102659&lang=ro](https://www.legis.md/cautare/getResults?doc_id=102659&lang=ro)

<sup>330</sup> [https://www.legis.md/cautare/getResults?doc\\_id=109895&lang=ro](https://www.legis.md/cautare/getResults?doc_id=109895&lang=ro)

<sup>331</sup> <https://particip.gov.md/ro/document/stages/proiectul-hotaririi-de-guvern-cu-privire-la-aprobarea-programului-de-gestionare-a-districului-bazinului-hidrografic-dunarea-prut-si-marea-neagra-ciclul-ii-2022-2027/8990>

<sup>332</sup> <http://mem.md/wp-content/uploads/2020/01/Plan-Management-Botna-14.12.2020.pdf>

<sup>333</sup> <https://www.environment.md/public/files/44821c9acda795cc041f2176b88f5480.pdf>

<sup>334</sup> <https://www.environment.md/public/files/c38faade68ec0f3fc210061e317e2135.pdf>

<sup>335</sup> <https://www.environment.md/public/files/0a46f9a6e14a874cae7e904c12202e6f.pdf>

<sup>336</sup> <https://www.environment.md/public/files/d04b1b9f39f88d8a7ea417ef2b12830e.pdf>

<sup>337</sup> <https://cms.ecocontact.md/uploads/ecocontact/originals/409474ee-e4d8-44b0-bda7-e73093e42e7d.pdf>

<sup>338</sup> <http://mediu.md/index.php/ro/programe-si-proiecte/proiecte-implementate/item/341-planul-de-gestionare-a-bazinului-hidrografic-camenca-ciclul-ii-2019-2024>

- The management plan of the hydrographic sub-basin of the Ciulucul mic river.<sup>339</sup>
- Management plan of the Larga hydrographic sub-basin, cycle I 2019-2024.<sup>340</sup>

Also, according to the provisions of the *Water Law No. 272/2011*, for each river basin district, a river basin district committee shall be formed, consisting of representatives of central and local government authorities, sub-basin committees, water users' associations, civil society, and the scientific community. The Committee shall be a coordinating and consultative body, independent in the exercise of its functions, which has the competence to participate in the activities of efficient management of water resources in the district limited to the respective river basin. The role of the Committee is to ensure effective collaboration between the central and territorial public administration authorities for water management and protection and the local public administration authorities, water users in the river basin district concerned, beneficiaries of water management services, representatives of scientific research institutions, civil society organizations on the management, use and protection of water resources in the watershed district.

Thus, according to the *Government Decision No. 867/2013* for the approval of the Model Regulation on the establishment and operation of the River Basin District Committee<sup>341</sup>, are established tasks, rights, and obligations of the Committees, as well as its structure and composition.

To execute the provisions of the *Water Law No. 272/2011* and *Government Decision No. 867/2013*, by Order of the Ministry of Agriculture, Regional Development and Environment No. 63/2020, the nominal composition of the Committees of the river basin districts was approved.

At the same time, within the two river basins, in addition to the fact that each has created and functional Committees of the Dniester and Danube-Prut and Black Sea River basin districts, these Committees have created and are coordinating the functioning process of 16 Sub-Basin Committees. The purpose of the Sub-basin Committees is to facilitate effective collaboration between local government authorities, competent institutions for the protection and management of water resources, competent institutions for the protection of public health, water users, civil society organizations and other stakeholders in order to ensure integrated management for the water resources in the sub-basin.

Flood risk management is addressed in few Laws, as follow:

In the context of the implementation of the provisions of the *Water Law No. 272/2011*, which transposes the Directive 2007/60/EC of 23 October 2007 on the assessment and management of floods, the *Government Decision No. 590/2018* on the Concept of reforming the national system for managing, preventing, and

<sup>339</sup> [https://www.ecovisio.org/images/activities/ActiveCiuluc/Planul\\_de\\_gestionare\\_raul\\_Ciulucul\\_Mic.pdf](https://www.ecovisio.org/images/activities/ActiveCiuluc/Planul_de_gestionare_raul_Ciulucul_Mic.pdf)

<sup>340</sup> <https://inqua-moldova.com/wp-content/uploads/2019/11/Management-plan-for-the-Larga-sub-basin.pdf>

<sup>341</sup> [https://www.legis.md/cautare/getResults?doc\\_id=118765&lang=ro](https://www.legis.md/cautare/getResults?doc_id=118765&lang=ro)

reducing the consequences of floods, was approved. Also, in 2020 by the Government Decision No. 562/2020, the Flood Risk Management Plans were approved. Flood risk management plans are developed for each river basin district and provide for a set of measures over a period of 6 years, the implementation of which will help reduce and prevent the risk of flooding, increase the resilience of the population to risk situations, and increasing the institutional capacity of the relevant central public authorities as well as of the local public authorities.

Also, *Water Law No.272/2011* regulates inclusively the management and protection of surface and groundwater, including measures to prevent and combat floods, erosion and measures to combat drought and desertification.

**46. Are marine strategies, in accordance with the Marine Strategy Framework Directive, being developed to ensure that marine waters are assessed and monitored, with measures and targets set to achieve good environmental status, including regional cooperation?**

The Republic of Moldova is a landlocked country but marine environment protection is under state responsibility at national and regional level, through the rivers network and existing regulatory framework including regional agreements and collaboration.

The territory of the Republic of Moldova is divided into 2 river basin hydrographic districts of the Dniester and Danube-Prut and Black Sea River basins, for which Management Programs accompanied by action plans are developed, designed to contribute to the protection and quality of water resources.

In order to protect, prevent pollution and sustainable use water resources, to monitor water resources quality and wastewater treatment, in the Republic of Moldova a specific regulatory framework is approved, described in points 40, 41, 42 of this Chapter. The Republic of Moldova shows an increased interest and a proactive attitude in the context of ensuring marine protection and cooperation with coastal states being showed through active participation of the country as a member State of in EU *the Common Maritime Agenda on the Black Sea* (The EU Common Maritime Agenda for the Black Sea is a sea basin EU initiative that aims at supporting regional cooperation for a more sustainable Blue Economy in the Black Sea and it is developed in the broader framework of the Black Sea Strategy. Republic of Bulgaria, Georgia, Republic of Moldova, Romania, Russian Federation, Republic of Turkey and Ukraine, all BSEC Member States - which has a consultative role are the participating countries.), being one of the 7 participating countries that voted for the approval of this Agenda, showing a keen interest in solving problems related to the sustainable growth in the marine field, development of research and innovation in the Black Sea region, fishing and aquaculture, connectivity, protection of the marine environment, etc., and formally showing political support for the launch of the Agenda.

The Republic of Moldova is also one of the 4 beneficiary countries of the *Black Sea Basin Greening and Development Program (BBSEA)*, which aims to catalyse investment in the blue economy for the Black Sea. The program focuses on the "Save the Sea" Pillar, which aims to reduce pollution in the Black Sea. In order to achieve results in reducing and eliminating water pollution in the Black Sea basin, the Republic of Moldova is currently at the stage of identifying the innovation host (s) facing the problem of eutrophication and are willing to test an "eco-innovation".

The Republic of Moldova is one of the founding countries of the Organization of the Black Sea Economic Cooperation (BSEC), ratifying the BSEC Charter by *Parliament Decision No. 361/1999*.<sup>342</sup>

The Republic of Moldova promotes close relations within the BSEC, which plays a key role in strengthening political dialogue and developing regional projects in the Black Sea region. At present, the Republic of Moldova holds the Presidency-in-Office of the BSEC.

The Ministry of Environment of the Republic of Moldova is a member of the *BSEC Working Group on Environmental Protection*, the main purpose of which is to promote the integrity of environmental protection in the economic and social policies of BSEC Member States, protect the environment, including in the field of conservation and sustainable management of natural resources in accordance with the principles of Sustainable Development.

#### **47. Has a registry of protected areas been established, including marine protected areas?**

The *Water Law No. 272/2011* was completed with art. 19<sup>1</sup> Protected areas in order to continue the harmonization with the Directive 2000/60/EC of 23 October 2000 establishing a framework for community action in the field of water resources.

At the level of each river basin district, the registration of protected areas is carried out through the Register of Protected Areas<sup>343</sup>, part of the State Cadaster of Waters,<sup>344</sup> which includes the following types of protected areas:

- areas intended for the abstraction of drinking water from surface and groundwater, which have an average flow of provide more than 10 m<sup>3</sup> per day as an average or which serve more than 50 persons, as well as from water bodies that may be used in this way in the future those bodies of water intended for such future use;<sup>345</sup>
- areas intended for the protection of aquatic species of economic importance - stagnant water bodies or watercourses, habitats of indigenous

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<sup>342</sup> [https://www.legis.md/cautare/getResults?doc\\_id=59144&lang=ro](https://www.legis.md/cautare/getResults?doc_id=59144&lang=ro)

<sup>343</sup> [https://www.legis.md/cautare/getResults?doc\\_id=130967&lang=ro](https://www.legis.md/cautare/getResults?doc_id=130967&lang=ro)

<sup>344</sup> [https://www.legis.md/cautare/getResults?doc\\_id=118915&lang=ro](https://www.legis.md/cautare/getResults?doc_id=118915&lang=ro)

<sup>345</sup> [https://www.legis.md/cautare/getResults?doc\\_id=114430&lang=ro](https://www.legis.md/cautare/getResults?doc_id=114430&lang=ro)

species, which maintain biodiversity and whose existence is important for the management of water resources;<sup>346 347</sup>

- water bodies intended for leisure, including those identified as bathing waters;<sup>348</sup>
- nutrient-sensitive areas, including vulnerable and sensitive areas, in particular those in agglomerations without wastewater treatment plants, those where is insufficient or improperly treated wastewater and those where are no systems of biological treatment of wastewater;<sup>349</sup>
- areas intended for the protection of habitats or species, where the maintenance or improvement of water status is an important factor for their protection, including areas important for the Emerald network and wetlands of international importance.<sup>350</sup>

Information on protected areas is included in the River Basin District Management Plan, at each revision, and is supplemented by maps, indicating the location of each protected area and the provisions of national law under which those areas have been identified.

#### **48. Is the legislation in place that addresses prevention and protection against flood risks? What is the timeline regarding floods hazard and risks mapping?**

The *Water Law no. 272/2011*, which transposes Directive 2007/60/EC of 23 October 2007 on the assessment and management of floods, provide at the Art. 49 Flood risk management.<sup>351</sup>

In the context of the implementation of the provisions Art. 49 of the *Water Law*, by *Government Decision No. 887/2013*, the Regulation on flood risk management was approved.<sup>352</sup>

The Regulation establishes the regulatory framework for flood risk management, which includes:

- the scope of flood risk management plans;
- staged integration of flood risk management plans in river basin district management plans;
- establishing emergency procedures and mechanisms in case of floods to provide assistance to the affected population;

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<sup>346</sup> [https://www.legis.md/cautare/getResults?doc\\_id=114535&lang=ro](https://www.legis.md/cautare/getResults?doc_id=114535&lang=ro)

<sup>347</sup> [https://www.legis.md/cautare/getResults?doc\\_id=47020&lang=ro](https://www.legis.md/cautare/getResults?doc_id=47020&lang=ro)

<sup>348</sup> [https://www.legis.md/cautare/getResults?doc\\_id=105055&lang=ro](https://www.legis.md/cautare/getResults?doc_id=105055&lang=ro)

<sup>349</sup> [https://www.legis.md/cautare/getResults?doc\\_id=123729&lang=ro](https://www.legis.md/cautare/getResults?doc_id=123729&lang=ro)

<sup>350</sup> [https://www.legis.md/cautare/getResults?doc\\_id=108578&lang=ro](https://www.legis.md/cautare/getResults?doc_id=108578&lang=ro)

<sup>351</sup> [https://www.legis.md/cautare/getResults?doc\\_id=121479&lang=ro](https://www.legis.md/cautare/getResults?doc_id=121479&lang=ro)

<sup>352</sup> [https://www.legis.md/cautare/getResults?doc\\_id=114426&lang=ro](https://www.legis.md/cautare/getResults?doc_id=114426&lang=ro)

- coordinating the elaboration and adoption of flood risk management plans with similar planning exercises undertaken in neighboring countries, based on bilateral or multilateral treaties;
- preliminary assessment of flood risks;
- elaboration of hazard and flood risk maps;
- elaboration and updating of flood risk management plans;

The *Government Decision No. 590/2018* on the Concept of reforming the national system for managing, preventing, and reducing the consequences of floods, was approved.<sup>353</sup> The Concept sets out the basic principles and objectives of flood protection, the legal and institutional framework for flood prevention and risk management.

Within the project supported by the EIB and implemented by BETA Studio "Management and technical assistance for flood protection in Moldova", hazard maps and flood risk areas were developed throughout the country.

The hazard and risk maps of the territory of the Republic of Moldova, elaborated, are annexed to the Flood Risk Management Plans, approved by Government Decision No. 562/2020.<sup>354</sup> Flood risk management plans are developed for each river basin district and provide for a set of measures over a period of 6 years, the implementation of which will help reduce and prevent the risk of flooding, increase the resilience of the population to risk situations, and increasing the institutional capacity of the relevant central public authorities as well as of the local public authorities.

#### **49. Is there legislation in place addressing access to drinking water for human consumption?**

Republic of Moldova has a set of Laws that are addressing the drinking water for consumption as well including the competences for central and local institutions.

*The Water Law No. 272/2011*, establishes as one of the main objectives “ensuring a sufficient supply of surface water and good quality groundwater, which is necessary for a sustainable, balanced, and equitable use of water”.<sup>355</sup>

*The Law No. 182/2019 on drinking water quality*<sup>356</sup>, aims to protect human health against the harmful effects of drinking water contamination by ensuring its safety and purity.

<sup>353</sup> [https://www.legis.md/cautare/getResults?doc\\_id=108719&lang=ro](https://www.legis.md/cautare/getResults?doc_id=108719&lang=ro)

<sup>354</sup> [https://www.legis.md/cautare/getResults?doc\\_id=122775&lang=ro](https://www.legis.md/cautare/getResults?doc_id=122775&lang=ro)

<sup>355</sup> [https://www.legis.md/cautare/getResults?doc\\_id=121479&lang=ro](https://www.legis.md/cautare/getResults?doc_id=121479&lang=ro)

<sup>356</sup> [https://www.legis.md/cautare/getResults?doc\\_id=119769&lang=ro](https://www.legis.md/cautare/getResults?doc_id=119769&lang=ro)



*The Law No. 303/2013 on the public water supply and sewerage service*<sup>357</sup>, establishes the legal framework for the establishment, organization, administration, regulation, and monitoring of the operation of the public service of drinking water, technology, sewerage, and domestic and industrial wastewater treatment in conditions of accessibility, availability, reliability, continuity, competitiveness, transparency, respecting the norms of quality, security and environmental protection.

*The Government Decision No. 1466/2016 for the approval of the Sanitary Regulation on small drinking water supply systems*<sup>358</sup>, establishes public health requirements for water quality, the choice of location, arrangement and operation of water collection, storage and distribution facilities, as well as and the related territory, aims to regulate the provision of safe drinking water supply to the population of small communities, prevention and elimination of possible pollution of small drinking water supply systems.

*The Government Decision No. 1063/2016 on the approval of the National Program for the implementation of the Protocol on Water and Health in the Republic of Moldova for the years 2016-2025*<sup>359</sup> aims at improvement of the quality of life of the population and access to safe drinking water and improvement of sanitation by planning the necessary measures to ensure the achievement of the target indicators of the Water and Health Protocol.

*The Government Decision No. 199/2014 on the approval of the Water Supply and Sanitation Strategy (2014-2028)*<sup>360</sup> aims to present an updated and detailed path for the development of the water supply and sanitation fields, both in the medium term (until 2018) and in the long term (until 2028) and for ensuring the human right to safe drinking water as a fundamental right. The general objective of the Strategy is to ensure the gradual access to safe water and adequate sanitation for all localities and the population of the Republic of Moldova, thus contributing to the improvement of health, dignity, and quality of life and to the economic development of the country.

The Republic of Moldova has signed the Loan Agreement with the World Bank for the implementation of the *Security of Water Supply and Sanitation in Moldova Project*. The main goal of the project is to improve living conditions through the provision of water supply and sanitation services, environmental protection through wastewater treatment, as well as strengthening the management capacity of these services.

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<sup>357</sup> [https://www.legis.md/cautare/getResults?doc\\_id=129126&lang=ro](https://www.legis.md/cautare/getResults?doc_id=129126&lang=ro)

<sup>358</sup> [https://www.legis.md/cautare/getResults?doc\\_id=102619&lang=ro](https://www.legis.md/cautare/getResults?doc_id=102619&lang=ro)

<sup>359</sup> [https://www.legis.md/cautare/getResults?doc\\_id=102596&lang=ro](https://www.legis.md/cautare/getResults?doc_id=102596&lang=ro)

<sup>360</sup> [https://www.legis.md/cautare/getResults?doc\\_id=122590&lang=ro](https://www.legis.md/cautare/getResults?doc_id=122590&lang=ro)

**50. Is there cooperation in place with neighboring countries with which Moldova is sharing river basins? How is the management of fisheries and other living resources integrated into such management?**

Based on the principles of integrated river basin management, the Republic of Moldova is cooperating with Ukraine under the Agreement between the Government of the Republic of Moldova and the Cabinet of Ministers of Ukraine on cooperation in the field of protection and sustainable development of the Dniester River Basin, signed on November 29, 2012 in Rome, and with Romania based on the Agreement between the Government of the Republic of Moldova and the Government of Romania on cooperation for the protection and sustainable use of Prut and Danube waters, signed in Chisinau on June 28, 2010.

1) The Bilateral Commissions for the Dniester - Commission on the Stable Use and Protection of the Dniester River Basin (Government Decision No. 347/2018)<sup>361</sup> are created based on the above-mentioned Agreements.

On the Dniester River, jointly with Ukraine and with the support of the GEF/UNDP/OSCE/UNECE project “Enabling transboundary co-operation and integrated water resources management in the Dniester River Basin”<sup>362</sup>, the Joint Strategic Action Program of the Dniester River basin for 2021 - 2035, was approved by joint declaration on 31 March 2021.

The Strategic Action Program (SAP) is one of the key strategic documents of the Commission on Sustainable Use and Protection of the Dniester River Basin, it is based on the findings of the Transboundary Diagnostic Analysis for the Dniester River Basin (TDA). Both documents have been developed according to the methodology agreed by the two countries and have been extensively consulted. The documents contribute to the Dniester River basin management planning at the national level, as well as support implementation of international commitments to develop joint plans for the transboundary basins.

*SAP defines seven strategic directions:*

- reduction of water pollution from point and diffuse sources, as well as plastic pollution; management of tailings storage facilities and prevention of accidental pollution;
- improvement of hydro morphological status and potential of surface water bodies;
- protection and prevention of surface and groundwater degradation;
- mitigation of climate change and natural disasters;
- improvement of the legal and regulatory framework and mechanisms for its implementation;
- strengthening Moldovan-Ukrainian cooperation in the field of water resources management;

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<sup>361</sup> [https://www.legis.md/cautare/getResults?doc\\_id=128336&lang=ro](https://www.legis.md/cautare/getResults?doc_id=128336&lang=ro)

<sup>362</sup> <https://www.thegef.org/projects-operations/projects/9359>

- promotion of rational use of water resources.
- Information on actions and events on the Transnistrian Commission Platform can be found on its website.<sup>363</sup>

*Thematic Working Groups* are set up within the Dniester Commission, which annually draw up action plans and collaborate:

- working Group on Ecosystems and Biodiversity;
- working group on river basin planning and management;
- monitoring and information exchange working group;
- exceptional Situations Working Group;
- strategic Working Group;
- legal working group.

The last meeting of the Dniester Commission took place in Moldova on October 28-29, 2021. Meeting materials can be viewed on the Commission's website.<sup>364</sup>

2) *For Prut River - Intergovernmental Hydrotechnical Commission* for the implementation of the Agreement between the Government of the Republic of Moldova and the Government of Romania on cooperation for the protection and sustainable use of Prut and Danube waters, signed in Chisinau on June 28, 2010 (*Government Decision No. 325/2011*).<sup>365</sup>

In order to ensure ecological security and sustainable use of Prut and Danube waters, not to admit the negative influence on the environment, in order to implement the provisions of the Agreement between the Government of the Republic of Moldova and the Government of Romania on cooperation for protection and sustainable use of Prut and Danube waters, signed in Chisinau, on June 28, 2010, as well as the Protocols of the first ordinary session and the extraordinary session of the Intergovernmental Hydrotechnical Commission for the implementation of the Agreement, by Order of the Minister of Environment no. 14 of November 26, 2021, the Hydrotechnical Subcommittees were established, created in order to identify and solve existing problems.

Thus, 4 Sub-Commissions were created, which include representatives of the Ministry of Environment and its subordinate institutions, as well as other relevant authorities in the field as follows:

- subcommittee for the operation and maintenance of the “Costești-Stîncă” hydrotechnical node.
- subcommittee on Flood and Ice Protection.
- subcommittee on Water Quality and Biodiversity.

<sup>363</sup> <https://dniester-commission.com/en/joint-management/dniester-commission/>

<sup>364</sup> <https://dniester-commission.com/meetings/trete-zasedanie-komissii-po-ustojchivomu-ispolzovaniyu-i-oxrane-bassejna-reki-dnestr/>

<sup>365</sup> [https://www.legis.md/cautare/getResults?doc\\_id=129012&lang=ro](https://www.legis.md/cautare/getResults?doc_id=129012&lang=ro)

- subcommittee on Quantitative Water Management and Hydrometeorology.

**51. Does Moldova use treated wastewater for agriculture or other purposes and is there is a legal basis for such use?**

There is no legal framework for use of treated wastewater in agriculture or for other purposes, but EU legal framework related to the minimum requirements for water reuse is under discussion with stakeholders along with analysis of the best practices.

With the renovation and rehabilitation of wastewater treatment plants, so as to ensure the normative quality of the effluent, will be elaborate the regulatory framework.

The technical assistance in the water sector:

- The Republic of Moldova has benefited, at various stages, from the support of Development Partners, through assistance projects. Strengthening the institutional framework in the water and sanitation sector in the Republic of Moldova, Project financed by the Swiss Agency for Development and Cooperation and the Austrian Development Agency (2016-2021);
- The European Union Water Initiative (EUWI) (2016-2021);
- The GEF / UNDP/ OSCE/ UNECE project “Enabling transboundary co-operation and integrated water resources management in the Dniester River Basin” (2017-2021);

At the moment, the Republic of Moldova benefits from support through the EU funded Programme: **EU4Environment - Water Resources and Environmental Data**. Duration: **2021-2024**.

The programme aims at improving people’s wellbeing in the EU’s Eastern partner countries and enabling their green transformation in line with the **European Green Deal** and the **Sustainable Development Goals** (SDGs). The programme’s activities are clustered around **two specific objectives**:

- Support a more sustainable use of freshwater resources through improved water policies and practices and help reduce the adverse impact of human activities on water quality and ecosystems;
- Extend and improve the use of sound environmental statistics by the partner countries and ensure greater availability of policy-relevant data for decision-makers and citizens.

## E. Biodiversity and Nature Protection

### 52. To which multilateral environmental agreements related to biodiversity is Moldova a party?

The Republic of Moldova is party to many international conventions (listed below in chronological order) and undertook to promote the conservation and sustainable use of biodiversity:

- Convention on the Conservation of Migratory Species of Wild Animals (Bonn, 1979), adherence 2000<sup>366</sup>.
- Convention on Biological Diversity (Rio de Janeiro, June 1992), ratified 1993<sup>367</sup>
- Convention on the Conservation of European Wildlife and Natural Habitats (Bern, 1979), ratified 1993<sup>368</sup>.
- Agreement on the Conservation of African-Eurasian Migratory Waterbirds (Hague, 1995), adhered 1995<sup>369</sup>.
- Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (25 June 1998, Aarhus, Denmark), ratified 1999.<sup>370</sup>
- Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), Washington, 1973), ratified 2000<sup>371</sup>.
- Agreement on the Conservation of Populations of European Bats (EUROBATS), adhered 2000.<sup>372</sup>
- Cartagena Protocol on Biological Security (Montreal, January 29, 2000), ratified 2002.<sup>373</sup>
- Convention on Wetlands of International Importance (Ramsar, 1971), ratified 2007.<sup>374</sup>
- Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity (ABS) (Nagoya, 29 October 2010), ratified 2016.<sup>375</sup>
- Nagoya Kuala-Lumpur Supplementary Protocol to the Cartagena Protocol on Biosafety, ratified 2018.<sup>376</sup>

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<sup>366</sup> [https://www.legis.md/cautare/getResults?doc\\_id=61755&lang=ro](https://www.legis.md/cautare/getResults?doc_id=61755&lang=ro)

<sup>367</sup> <https://www.legis.md/cautare/downloadpdf/60375>

<sup>368</sup> <https://www.legis.md/cautare/downloadpdf/60375>

<sup>369</sup> [https://www.legis.md/cautare/getResults?doc\\_id=61755&lang=ro](https://www.legis.md/cautare/getResults?doc_id=61755&lang=ro)

<sup>370</sup> [https://www.legis.md/cautare/getResults?doc\\_id=59140&lang=ro](https://www.legis.md/cautare/getResults?doc_id=59140&lang=ro)

<sup>371</sup> [https://www.legis.md/cautare/getResults?doc\\_id=108369&lang=ro](https://www.legis.md/cautare/getResults?doc_id=108369&lang=ro)

<sup>372</sup> <http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=311797>

<sup>373</sup> <https://www.legis.md/cautare/downloadpdf/60375>

<sup>374</sup> [https://www.legis.md/cautare/getResults?doc\\_id=47020&lang=ro](https://www.legis.md/cautare/getResults?doc_id=47020&lang=ro)

<sup>375</sup> [https://www.legis.md/cautare/getResults?doc\\_id=93654&lang=ro](https://www.legis.md/cautare/getResults?doc_id=93654&lang=ro)

<sup>376</sup> <https://www.legis.md/cautare/downloadpdf/105466>

- Amendment to the Convention on access to information, justice and public participation in the adoption of decisions in the field of environment, adopted in Almaty on May 27, 2005, accepted 2007<sup>377</sup>.

Moldova cooperates with CEE countries through a number of regional agreements<sup>378</sup> The Regional agreements are signed with authorities from Romania (2003, 2010, 2013), Ukraine (1994, 2000, 2017), Lithuania (2016), Republic of Turkey (2012), Republic of Belarus (2009), Russian Federation (2008), Republic of Azerbaijan (2007), Latvia (2006), Poland (2004) and Hungary (2018).

**53. Do you have a National Biodiversity Strategy and Action Plan (NBSAP) as required by the Convention on Biological Diversity? Describe its main elements and how it is coherent or not with the EU Biodiversity Strategy for 2030. Describe major opportunities and difficulties in Moldova contributing to the achievement of the EU commitments included in the EU Biodiversity Strategy for 2030.**

The latest NBSAP for the period of 2015-2020 was developed in line with Aichi targets and approved by the Government Decision No. 274/2015<sup>379</sup>. The document contains some of the aspirations of the EU Biodiversity Strategy for 2030, mainly that refers to the extension of protected areas network as well as of an efficient and protective management. The main elements of the latest NBSAP were centered on:

- creation of institutional and legislative framework to stop biodiversity loss;
- conservation of flora and fauna species;
- sustainable extension and management of protected areas;
- protecting genetic resources and sharing benefits of using them;
- creating mechanisms for enabling ecosystem services;
- mobilizing resources for biodiversity conservation.

The NBSAP document for 2015-2020 is now under revision with an aim to update it in line with four objectives of the Post-2020 Global Biodiversity Framework, European Green deal the EU Strategy on Biodiversity for 2030.

A number of targets proposed by the EU Strategy on Biological Diversity for 2030 are foreseen in the national policies. The set target of at least ‘15% forest cover’, according to the Environment Strategy for 2014-2023<sup>380</sup> (which is under revision too) and the Action Plan of the Government for the period of 2021-2022 years as stated in the outdated NBSAP document, will remain in the newly planned NBSAP. It is likely to be achieved through the National Afforestation and Reforestation Plan (NARP) under supervision of the Presidency cabinet, which is

<sup>377</sup> [https://www.legis.md/cautare/getResults?doc\\_id=3376&lang=ro](https://www.legis.md/cautare/getResults?doc_id=3376&lang=ro)

<sup>378</sup> [http://www.mfa.gov.md/img/docs/lista\\_tratate\\_bilaterale\\_new.pdf](http://www.mfa.gov.md/img/docs/lista_tratate_bilaterale_new.pdf), [http://www.mfa.gov.md/img/docs/Lista-Tratate-multilaterale\\_09\\_01\\_18.pdf](http://www.mfa.gov.md/img/docs/Lista-Tratate-multilaterale_09_01_18.pdf).

<sup>379</sup> [https://www.legis.md/cautare/getResults?doc\\_id=114746&lang=ro](https://www.legis.md/cautare/getResults?doc_id=114746&lang=ro)

<sup>380</sup> <https://www.legis.md/cautare/downloadpdf/114539>

now under development and proposes 100,000 ha of new land afforested (or reforested and/or rehabilitated) during 2023-2032.

Moldova intends to increase its protected area network from 5,65% now to 8% by 2030 (all NBSAP documents have so far promoted increasing PA in the country). However, the high rate of agriculturalized landscape and unnecessary infrastructure (including inherited from soviet era) pose certain challenges for conservation under PAs. This implies for applying new and innovative approaches, such as green economy or ecologic farming/agriculture.

**54. Describe how Moldova has implemented the Bern Convention provisions on strictly controlling the introduction of non-native species and what are the major differences with Regulation (EU) 1143/2014 on invasive alien species?**

Moldovan legislation related to invasive species is not fully consolidated compared with threats posed by non-native species and possible social-economic or environmental damages. Also, the Regulation (EU) No 1143/2014 of the European Parliament and of the Council of 22 October 2014 on the prevention and management of the introduction and spread of invasive alien species was not yet transposed into national legislation.

Some measures have already been undertaken by Moldova to monitor and control of biological introductions (intentional and unintentional) invasive alien species are those which have been introduced and/or spread outside their natural ranges and as a result threaten biological diversity, in line with the CBD provisions (specifically according with Target 9 of the Aichi Biodiversity targets).

At the level of policy and legislative framework, two outdated strategies (NBSAP for 2015-2020 and Food Safety Strategy for 2011–2015) included provisions for the mitigation of impacts from invasive alien species (IAS) as well as a number of legislation acts (such as Law on Vegetal Kingdom, other regulations) have been updated or newly developed and improved accordingly, some of them are listed below:

- The Regulation for Combating and Preventing the Spread of Ambrose Weeds and the Action Plan on the Implementation of the Regulation for the years 2019–2024 approved by the Government Decision No. 967/2018<sup>381</sup> states that the Ministry of Environment, Ministry of Health, Ministry of Agriculture and Food Industry, National Agency for Food Safety, in collaboration with the local public authorities are designated to be responsible to ensure monitoring and control of ambrosia. The law also establishes sanctions for non-compliance by the subjects responsible for land management.

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<sup>381</sup> <http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=377540>

- The Action Plan on the implementation of measures to combat and prevent the spread of ambrosia weeds (*Ambrosia artemisiifolia*) for the years 2019-2024 includes a number of actions on public awareness and training of landowners on combating this exotic weed<sup>382</sup>..
- Government Decision No. 787/2011 on the approval of the amendments and additions to the Government Decision No. 1073/.2008 on the optimization of the state border crossing by the means of transport with goods and passengers, the modification and abrogation of some normative acts. Veterinary and Phyto-Sanitary Services have been established at the 8-customs border control system<sup>383</sup>.

The national legislation is going to be improved and further harmonized with the EU approaches and standards for invasive alien species, including a more complex and comprehensive system of fines, penalties and administrative measures. A series of specific mechanisms should be developed: research, monitoring and surveillance of such species should be undertaken at regular base; adopt certain emergency measures on the basis of available scientific evidence; carried out border control on animals and plants to prevent the intentional introduction of invasive alien species; early detection and rapid eradication measures developed that are crucial to prevent their establishment and spread; proportionate restoration measures should be undertaken to strengthen the ecosystems' resilience towards invasions, to repair the damage caused and to enhance the conservation status of species and their habitats.

**55. Describe the legislative basis for the protection of nature, especially concerning species and habitats of conservation interest as defined in the Habitats Directive as well as wild birds.**

The Ministry of Environment (MoE) of Moldova develops and promotes the country's state policy on environmental protection, conservation of biodiversity, sustainable use of natural resources, protected areas etc. Forest Agency Moldosilva is the executing body ensuring management of protected areas and biodiversity. The Environment Agency, established in 2018, has its leading role for monitoring of natural resources, including protected areas and biodiversity, authorization of natural resources uses. Environmental Protection Inspectorate is in duty to ensure controlling measures for biodiversity uses and activities. According to the Republic of Moldova–European Union Association Agreement<sup>384</sup>, Republic of Moldova has committed to fully transpose Directive 2009/147/EC on the conservation of wild birds and Directive 1992/43/EC on the conservation of natural habitats and of wild fauna and flora into national legislation.

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<sup>382</sup> <http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=377540>

<sup>383</sup> [https://www.legis.md/cautare/getResults?doc\\_id=11392&lang=ro](https://www.legis.md/cautare/getResults?doc_id=11392&lang=ro)

<sup>384</sup> [https://www.legis.md/cautare/getResults?doc\\_id=83489&lang=ro](https://www.legis.md/cautare/getResults?doc_id=83489&lang=ro)



Republic of Moldova has already started to transpose these two Directives, by following measures:

The *Law No. 439/1995 on Animal Kingdom*<sup>385</sup> proposes measures for the protection and conservation of migratory birds, their breeding areas, resting areas along their migration pathways and established the new special avia faunistic protection areas, including preventing pollution and deterioration of habitats of waterfowl.

The *Law No. 1538/1998 on state natural protected areas* was completed with provisions requesting establishing special avifaunistic protected areas in important forest and steppe ecosystems, wetlands (including of international importance), breeding sites, hibernation and migration pathways. All areas of special avifaunistic protection have to be designed based on scientific criteria. These amendments have been approved through the *Law No. 61/2011 on modification and completion of some legislative acts*<sup>386</sup>.

The *Law No. 239/2007 on Vegetation Kingdom*<sup>387</sup> has been amended with provisions to ensure appropriate measures for protection and conservation of natural habitats and plant species and establish a strict system of protection for plant species of the European interest, applying prohibitions at all stages of the biological cycle.

The *Law No. 904/2007 on ecological network*<sup>388</sup> introduced the definition of Emerald Network of areas of special interest for conservation along with special provisions for establishing the Emerald Network in Moldova and setting attributions for the central environmental authority, scientific institutions and other competent authorities.

**56. What systems of protected areas exist for nature conservation? On what basis have protected areas been designated? Where does Moldova stand in implementing the Emerald network as preparation for future Natura 2000?**

The current area of the State Natural Protected Areas (PAs), according to the 6<sup>th</sup> National Report on Biodiversity to the CBD (2019)<sup>389</sup>, is 210,695.87 ha (2,106.96 km<sup>2</sup>) or 5,8% of the country's territory. The National PA system is under direct responsibility of the MoE (with the specialized Division on Biodiversity Policy). Forest Agency "Moldsilva" is responsible for the PA administration within its forestland by ensuring overall control and guarding, including forest management planning (FMP). The Environment Agency is in duty to provide an integrated

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<sup>385</sup> [https://www.legis.md/cautare/getResults?doc\\_id=130527&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=130527&lang=ro#)

<sup>386</sup> [https://www.legis.md/cautare/getResults?doc\\_id=4146&lang=ro](https://www.legis.md/cautare/getResults?doc_id=4146&lang=ro)

<sup>387</sup> [https://www.legis.md/cautare/getResults?doc\\_id=100427&lang=ro](https://www.legis.md/cautare/getResults?doc_id=100427&lang=ro)

<sup>388</sup> [https://www.legis.md/cautare/getResults?doc\\_id=100427&lang=ro](https://www.legis.md/cautare/getResults?doc_id=100427&lang=ro)

<sup>389</sup> <https://chm.cbd.int/database/record?documentID=241350>,

monitoring of natural resources, including protected areas. The PA system is mainly regulated by the Law No. 1538/1998 *on Fund of natural state protected areas*<sup>390</sup> that provides the legal framework for 307 objects under 12 different categories of protected areas: 7 different types (scientific reserve, national park, monument of the nature reserve, nature reserve, landscape reserve, resource reserve, managed area multifunctional) are aligned to IUCN classification, 3 types are applied at the local scale (dendrological garden, zoo and monuments of landscape architecture, and 2 types are established by other international regulations - biosphere reserve (UNESCO programme) and area wetland of international importance (Ramsar Convention). The management of certain types of PAs is established by the Government Decision No.782/2000 on the approval of national park framework regulations, nature monuments, resource reserves and biosphere reserves<sup>391</sup>.

The country's target is to extend PAs up to 8% of the country's territory by 2023 as stipulated in the National Environment Strategy for 2014-2023<sup>392</sup>. Ministry of Environment plans to review PA-related legal frame (primarily the Law No.1538/1998) and reformulate the PAs concept in order to ensure much better conservation of remaining habitats under the updated NBSAP 2030, that is going to be developed during the period of 2022-2023. The new national PAs concept will have to meet both conservation objectives raised by the EU policy and face climate changes along with other challenges Moldova faces (such as energy crisis, food chain security etc.). According to preliminary plans, the reformation of Forest Agency "Moldsilva" and other state bodies will envisage an institutional separation of the PA system in order to improve conservation and reduce illegalities associated with PA sustainable development.

To sustain conservation efforts, Moldova started the process of creating the Emerald Network in 2000, following a pilot project supported by the Council of Europe, and continued in 2009-2011 (phase I) with the launch of the first joint program of the EU to support the extension of the principles of the Natura 2000 Network through the Emerald Network in Eastern Europe and the South Caucasus, thus the EU Joint Program (2013-2016) "Support for the creation of the Emerald Network" aimed to implement Phase II of the process of creating the Emerald Network in 7 European countries. Central and Eastern, including the Republic of Moldova.

Between 2018 and 2019, the Standing Committee of the Bern Convention adopted a total of 61 Emerald sites for Moldova<sup>393</sup>, awaiting their national approval. National authorities intend to review existing PA legal frame by considering Emerald network as an important area system to ensure effective species/habitat conservation. MoE in cooperation with the EU4Environment programme has currently launched a number of activities aiming on enhanced support to protect

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<sup>390</sup> [https://www.legis.md/cautare/getResults?doc\\_id=108578&lang=ro](https://www.legis.md/cautare/getResults?doc_id=108578&lang=ro)

<sup>391</sup> [https://www.legis.md/cautare/getResults?doc\\_id=112780&lang=ro](https://www.legis.md/cautare/getResults?doc_id=112780&lang=ro)

<sup>392</sup> [HG301/2014 \(legis.md\)](https://www.legis.md/HG301/2014)

<sup>393</sup> <https://rm.coe.int/pa11e-2021-updated-list-officially-adopted-emerald-sites-final/1680a4be3d>

biodiversity and natural ecosystems through advancing the establishment of the Emerald Network in the country.

**57. Does a system for monitoring the conservation status of habitats and species of conservation interest as defined in the Habitats Directive as well as wild birds exist in your country? What is Moldova's experience in reporting on the conservation status, in particular in the framework of the reporting under the relevant Resolution of the Bern Convention?**

A monitoring system for birds and habitats under the Res.8 of the Bern Convention is under development. The casual monitoring is provided within the research projects of specialized research institutions, based on the taxonomic groups of species. There are limited capacities to provide a focused monitoring over the Bern Convention species and habitats on a regular basis and on a long-term period, as it is also required by Habitat Directive and Birds Directive. Environment Agency under the Ministry of Environment (Division on Monitoring of Natural Resource) is in charge of providing integrated monitoring and reporting over natural resources, including biodiversity, protected areas etc. and of introducing the information into specific monitoring database. The data collection system is under development in collaboration with the relevant research institutions in the field of botany, zoology, ecology and forest management, and in accordance with the EU standards and reporting requirements. The system of database under the Res.8 will be established after the draft Law on the amendments to the Law on Ecological network will be approved by the Parliament, and specific regulations developed. It is expected that the database system would be in place in 2023<sup>394</sup>.

Being party to the Bern Convention, Moldova has submitted the country report under the Resolution 8 (2012) for the period of 2013-2018 years according to the report format, approved by the Group of Experts on Protected Areas and Ecological Networks (2017)<sup>395</sup> and using the Explanatory notes and guidelines, Part 1: The report format field-by-field guidance for the period 2013-2018, and the Explanatory notes and guidelines for the period 2013-2018, Part 2: Definitions and methods.

The country Report has been submitted by the Republic of Moldova in 2018 in an online format and includes reporting of selected 6 types of habitats and 23 species of plant and animals, including bird's species, according to Resolution 4 and 6 of the Bern Convention. The integrated Checklist of reporting data on species (including birds) and habitats is available at the website of the Bern Convention.<sup>396</sup>

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<sup>394</sup> [https://particip.gov.md/ru/download\\_attachment/15699](https://particip.gov.md/ru/download_attachment/15699)

<sup>395</sup> <https://rm.coe.int/reporting-format-for-the-period-2013-2018/168073fa26>

<sup>396</sup> <https://www.coe.int/en/web/bern-convention/reporting-res.-8-2012->

The spatial grids for the habitats and species distribution maps (ETRS 10x10 km grids) for the Republic of Moldova is available in the Metadata format.<sup>397</sup>

**58. What are the major differences between the nature conservation legislation in your country and the Habitats and Birds Directives?**

The legal framework related to the habitats and bird's species are partially harmonized with the mentioned EU directives, according to the timetables of the Association Agreement between the Republic of Moldova and EU.

Thus, the Law No. 439/1995 on the Animal Kingdom<sup>398</sup>, Law No. 239/2007 on Vegetal Kingdom<sup>399</sup>, Law No. 1538/1998 on the fund of natural protected areas<sup>400</sup>, and the Law No. 904/2007 on ecological network<sup>401</sup>, has been amended and completed with specific norms related to transposition on habitats and bird's species requested by the mentioned EU directives, as well as by the Bern Convention (Emerald Network)<sup>402</sup>.

The Law nr. 439/1995 on Animal Kingdom<sup>403</sup> considers more measures for the protection and conservation of migratory birds, their breeding areas, resting areas along their migration pathways were considered as well as for establishing of new special avifaunistic protection areas, including preventing pollution and deterioration of habitats of waterfowl. The Law nr. 1538/1998 on state natural protected areas was completed with provisions requesting establishing special avifaunistic protected areas in important forest and steppe ecosystems, wetlands (including of international importance), breeding sites, hibernation and migration pathways. All areas of special avifaunistic protection have to be designed based on scientific criteria. These amendments have been approved through the Law nr. 61/2011 on modification and completion of some legislative acts<sup>404</sup>. The Law nr. 239/2007 on Vegetation Kingdom<sup>405</sup> has been amended with provisions to ensure appropriate measures for protection and conservation of natural habitats and plant species and establish a strict system of protection for plant species of the European interest, applying prohibitions at all stages of the biological cycle. The Law 904/2007 on ecological network introduced the definition of Emerald Network of areas of special interest for conservation along with special provisions for establishing the Emerald Network in Moldova and setting attributions for the central environmental authority, scientific institutions and other competent authorities.

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<sup>397</sup> <https://mycloud.coe.int/s/WreosPWpnFX83bz>.

<sup>398</sup> [https://www.legis.md/cautare/getResults?doc\\_id=4146&lang=ro](https://www.legis.md/cautare/getResults?doc_id=4146&lang=ro)

<sup>399</sup> [https://www.legis.md/cautare/getResults?doc\\_id=105621&lang=ro](https://www.legis.md/cautare/getResults?doc_id=105621&lang=ro)

<sup>400</sup> [https://www.legis.md/cautare/getResults?doc\\_id=100427&lang=ro](https://www.legis.md/cautare/getResults?doc_id=100427&lang=ro)

<sup>401</sup> [https://www.legis.md/cautare/getResults?doc\\_id=14500&lang=ro](https://www.legis.md/cautare/getResults?doc_id=14500&lang=ro)

<sup>403</sup> [https://www.legis.md/cautare/getResults?doc\\_id=130527&lang=ro](https://www.legis.md/cautare/getResults?doc_id=130527&lang=ro)

<sup>404</sup> [https://www.legis.md/cautare/getResults?doc\\_id=4146&lang=ro](https://www.legis.md/cautare/getResults?doc_id=4146&lang=ro)

<sup>405</sup> [https://www.legis.md/cautare/getResults?doc\\_id=100427&lang=ro](https://www.legis.md/cautare/getResults?doc_id=100427&lang=ro)

A draft new *Law on amendments and completion to the Law No. 94/2007 on ecological network*<sup>406</sup> has been developed to harmonize its national legislation with the Habitats Directive and the Birds Directive, and involve among others, provisions to establishing a system for monitoring the conservation status of natural habitat types and species and of natural fauna and flora of the Emerald Network, and establishing the reporting process, which involves creation of a database and the identification of trends in the dynamics of species populations and habitats. The draft law is under the consultation process with the key stakeholders, sectors and civil society.

There are further needs to develop the enforcement system and specific guidelines to the mentioned above laws that would improve national capacities for monitoring and reporting under the Directives on Birds and Habitats. There are no requested legal provisions yet regarding the invasive alien species, their monitoring and prevention mechanisms.

**59. What are the major differences between the legislation on wildlife trade and EU Regulations on that matter?**

The Republic of Moldova acceded to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), drawn up in Washington on 3 March 1973 by Law No. 1246/2000 on the accession of the Republic of Moldova to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)<sup>407</sup>.

Subsequently, by Law No. 201/2008 on the acceptance of the Amendment to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)<sup>408</sup>, the Republic of Moldova accepted the Amendment to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), adopted in Gaborone, Botswana, on 30 April 1983.

The implementation of the provisions of the CITES Convention is carried out by the following normative acts:

- Law No. 439 of 27.04.1995 on the animal kingdom<sup>409</sup>
- This Law establishes the relations in the field of protection and use of domestic animals and wild animals kept in captivity or semi-captivity for economic, scientific, cultural-educational, and aesthetic purposes.
- The law also regulates the import, export, re-export, and transit of animals, their parts, and derivatives established by the CITES Convention.

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<sup>406</sup> [https://www.legis.md/cautare/getResults?doc\\_id=100427&lang=ro](https://www.legis.md/cautare/getResults?doc_id=100427&lang=ro)

<sup>407</sup> [https://www.legis.md/cautare/getResults?doc\\_id=108369&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=108369&lang=ro#)

<sup>408</sup> [https://www.legis.md/cautare/getResults?doc\\_id=23647&lang=ro](https://www.legis.md/cautare/getResults?doc_id=23647&lang=ro)

<sup>409</sup> [https://www.legis.md/cautare/getResults?doc\\_id=130527&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=130527&lang=ro#)

- Regulation on the establishment, registration, completion, preservation, export, and import of collections of animals and plants of wild fauna and flora, approved by Government Decision No. 1107 /2003<sup>410</sup>
- The Regulation aims at coordinating activities and establishing control over the establishment, registration, completion, preservation, export, and import of collections of wild flora and fauna of scientific, cultural, educational, and aesthetic importance.
- Procedure for the authorization of export and import activities in respect of plants and animals of wild fauna and flora, their parts and derivatives, and the import/export or re-export of species of flora and fauna regulated by the Convention on International Trade in Endangered Species of Wild Fauna and Flora CITES<sup>411</sup>
- The provisions of this procedure shall apply to the organization and conduct of export activities for live, fresh or semi-processed wild fauna and the organization of import activities for live wild animals.
- Contravention Code No. 218 /2008<sup>412</sup>
- The Code determines the acts that constitute contraventions and provides for the contravention process and penalties for collecting, capturing, or killing animals included in the Red Book of the Republic of Moldova and the Appendices to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

The major differences between wildlife trade legislation and EU wildlife trade regulations are as follows:

- The European Union sets export quotas for wild animal species.
- The Republic of Moldova does not establish annual export quotas as a regulatory tool in international trade in wildlife species. Permits are issued upon request, as per the CITES e-Passport Permit/Certificate<sup>413</sup>, approved by Order of the Environment Agency No.18 /2019.
- The Register of Permits/Certificates is maintained by the Environment Agency - the regulatory authority for the wild plant and animal trade<sup>414</sup>.
- In the EU, international trade in CITES-listed species is carried out based on certificates, permits, and notifications. Special certificates are issued for trade within the EU.
- In the Republic of Moldova trade in wildlife species (import, export, re-export) is carried out based on CITES Certificates/Permits and the Environmental Permit for non-CITES species. The Republic of Moldova

<sup>410</sup> [https://www.legis.md/cautare/getResults?doc\\_id=112909&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=112909&lang=ro#)

<sup>411</sup> [https://www.legis.md/cautare/getResults?doc\\_id=47152&lang=ro](https://www.legis.md/cautare/getResults?doc_id=47152&lang=ro)

<sup>412</sup> [https://www.legis.md/cautare/getResults?doc\\_id=131058&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=131058&lang=ro#)

<sup>413</sup>

<https://am.gov.md/sites/default/files/document/attachments/34%20Pasap%20Permis%20Certificat%20CITES.pdf>

<sup>414</sup> <https://drive.google.com/drive/folders/1RjE3QU34r9s7NBp7Oj91hKK9cR3R3v0>

has no regulations in normative acts concerning domestic trade in wildlife species, only international trade.

- EU has set more stringent import conditions for wildlife species than those imposed by CITES.
- The normative acts of the Republic of Moldova on trade in wild animal species transpose the provisions and resolutions of the CITES Convention. Drastic rules are not approved.
- The EU Member States' legal framework for the implementation of the CITES Convention consists of the following 2 Regulations:
  - Framework Regulation: Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein.
  - Implementing Regulation: Commission Regulation (EC) No 865/2006 of 4 May 2006 laying down detailed rules for the implementation of Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein.

The Republic of Moldova has established regulations for trade in wild animal species (see above) but has not yet transposed the EU Regulations.

**60. What are the major differences between the legislation on animal welfare related to wildlife and EU Regulations on that matter?**

Moldova has developed the normative framework for the protection and conservation of wild animal species and established institutional competencies in the implementation of legislation in this field. Actions to ensure the welfare of wild animals are laid down in the following normative acts:

*Law No. 136/2007 on zoos*<sup>415</sup>

The law transposes Council Directive 1999/22/EC of 29 March 1999 relating to the keeping of wild animals in zoos.

This law also lays down the conditions that zoo administrators are required to meet in the conservation and maintenance of wild animals, by housing animals under conditions that meet the biological and conservation requirements for the maintained species.

At the same time, the law provides for not allowing economic or recreational activities of any kind, the result of which may affect or affect the normal life of animals in collections, the exercise of cruelty to animals, vivisection, unauthorized

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<sup>415</sup> [https://www.legis.md/cautare/getResults?doc\\_id=4553&lang=ro](https://www.legis.md/cautare/getResults?doc_id=4553&lang=ro)

slaughter, or mistreatment of animals in collections, including deprivation of water, adequate food, rest.

*Framework Regulation on Scientific Reserves, Annex No. 4 to Government Decision No. 785/2000*<sup>416</sup>

According to this Regulation, one of the main tasks of Scientific Reserves is the maintenance of natural flora and fauna complexes, the restoration of rare and endangered plant and animal species, the preservation of geological objects, water basins, groundwater, secular trees, bird colonies, mammal species, ichthyofauna, as well as the maintenance of natural flora and fauna complexes, the restoration of rare and endangered plant and animal species.

*Law No. 439/1995 on the animal kingdom*<sup>417</sup>

This law establishes the relations in the field of protection and use of domestic animals as well as wild animals maintained in captivity or semi-captivity for economic, scientific, cultural-educational and aesthetic purposes.

*Law No. 221/2007 on veterinary sanitary activity*<sup>418</sup>

This law lays down the veterinary health requirements for the protection and welfare of animals and rules on the housing and care of animals on holdings, in gardens, zoos, and reserves, in temporary animal agglomerations, or during grazing, to meet their physiological and behavioral requirements.

*Government Decision No. 793/2012 approving the Veterinary Standard for the protection and welfare of animals during transport*<sup>419</sup>, transposes the EU Regulation 1/2005 on protection of animals during transport and related operation.

*Law No. 306 /2018 on food safety*<sup>420</sup>

This law lays down the general principles regulating the field of food and feed in general and their safety and establishes the rights and obligations of food operators involved in the production, processing, storage, transport, distribution, and trade of food and feed.

One of the objectives of food regulation is to ensure fair practices in the food trade, taking into account animal health and welfare, plant health, and environmental protection.

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<sup>416</sup> [https://www.legis.md/cautare/getResults?doc\\_id=112781&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=112781&lang=ro#)

<sup>417</sup> [https://www.legis.md/cautare/getResults?doc\\_id=130527&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=130527&lang=ro#)

<sup>418</sup> [https://www.legis.md/cautare/getResults?doc\\_id=125191&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=125191&lang=ro#)

<sup>419</sup> [https://www.legis.md/cautare/getResults?doc\\_id=114388&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=114388&lang=ro#)

<sup>420</sup> [https://www.legis.md/cautare/getResults?doc\\_id=112711&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=112711&lang=ro#)



*Law No. 50/13 on official controls to verify compliance with feed and food legislation and animal health and welfare rules*<sup>421</sup>

This law transposes Titles I, II, III, V, VI (Chapter II) and VII (Chapter I) of Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules.

## **61. Does Moldova have a national forest programme or strategy and a national forest inventory system?**

The latest official policy document in the country is the *Strategy for sustainable development of the forestry sector of Moldova*, approved by Parliament Decision No.350/2001<sup>422</sup>, has prioritized two strategic directions: a) restoration of the eco-protective and bio-productive of existing forest ecosystems, and (b) expansion of area covered with forest vegetation. The Government Decision No. 739/2003 *on the implementation of the National Strategy for Sustainable Development of the Forestry Sector*<sup>423</sup> contains provisions for increased potential of natural forests, biodiversity conservation, forest area expansion, enhanced contribution of forests to socio-economic development, and protection of rural landscape. MoE has plans for a new forest strategic document and a working group was recently created in order to start designing the concept of forest strategy in consultation with key experts and civil society.

Moldova does not have yet a *National Forest Inventory* (NFI) in place, but it is now under development undertaken by forestry institutions under strategic guidance from the MoE and co-support from FAO through a pilot project implemented in cooperation with Forest Agency “Moldsilva”, namely the Forest Research and Management Institute. Moldova has a well-established system of *forest management planning* (FMP), which represents an analysis of forest condition along with planned activities to sustain forests in time. It is mandatory for all forests regardless their ownership. FMP is a cycled process, usually undertaken each 10-year period and consists of two main and very technical outputs – a guidelines (or analysis book) and a map (general and technical). While state forests managed by Forest Agency “Moldsilva” (nearly 80% of all forestlands) have a very well-organized FMP in place, the rest of forests do not always have it and most of non-state forest properties just lack all this.

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<sup>421</sup> [https://www.legis.md/cautare/getResults?doc\\_id=106337&lang=ro](https://www.legis.md/cautare/getResults?doc_id=106337&lang=ro)

<sup>422</sup> [https://www.legis.md/cautare/getResults?doc\\_id=63247&lang=ro](https://www.legis.md/cautare/getResults?doc_id=63247&lang=ro)

<sup>423</sup> [https://www.legis.md/cautare/getResults?doc\\_id=29560&lang=ro](https://www.legis.md/cautare/getResults?doc_id=29560&lang=ro)

**62. Does Moldova have legislation in place to prohibit the placing on the market of illegally harvested timber or derived products? Is Moldova's legislation aligned with the obligations set out in the EU Timber Regulation?**

According to the *Forest Code* No.887/1996<sup>424</sup>, the primary function of Moldova's forests is the protection of the environment to ensure ecological balance and wood harvesting is allowed only within the limits set by forest planning operations. Moldova's legislation prohibits any forms of illegal logging, from harvesting to placement on markets or import/export activities. A number of legal provisions (such as in the Administrative Code or the Penal Code) aim at protecting forests through prevention measures or fines against destructive actions. However, law enforcement is rather a problem as illegal logging is subject to negligence of existing forest-related legal frame (nearly 12 laws and decisions) or to camouflaged illegalities under legalized forest-related activities (as uncovered by EU-funded FLEG projects). Moldova is not a timber producing country as nearly 80-90% of its domestic wood is harvested for energy purposes (firewood) and only 10% is timber. Any round wood products are prohibited for export (see Law No. 30/2011<sup>425</sup>), but uncontrolled amounts of shaped wood are placed on domestic markets and even subject to export (though of low quality). Though Moldovan Forest institutions claim to operate with legal wood only, significant quantities of illegal wood are annually placed on the markets (FLEG data).

Moldova's forest legislation is not yet aligned to EU Regulation 995/2010. The previous attempt to implement a pilot wood traceability system has failed because of the strong resistance from forest operators and unwillingness to open the forestry sector to innovations, but it created good preconditions for wood biomass assessment and accountability. Three-step approach through introducing – (1) wood traceability system, (2) due diligence system, and (3) forest certification (of both management and forests) – are envisaged by authorities as necessary requirements to a sustainable use of forests and compliance with biodiversity conservation principles. MoE is now reexamining the new version of the Forest Code and all these aspects will be thoroughly examined by a working group set to improve it.

**63. Does Moldova have in place a robust and independent inspection body for forest control for all forests?**

The Inspectorate for Environmental Protection (IEP)<sup>426</sup>, subordinated to the MoE, is invested with control functions over the environment and the use of natural resources, including forest control regardless of their ownership. The IEP's

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<sup>424</sup> [https://www.legis.md/cautare/getResults?doc\\_id=118482&lang=ro](https://www.legis.md/cautare/getResults?doc_id=118482&lang=ro)

<sup>425</sup> [https://www.legis.md/cautare/getResults?doc\\_id=46683&lang=ro](https://www.legis.md/cautare/getResults?doc_id=46683&lang=ro)

<sup>426</sup> <http://ipm.gov.md/ro/subdiviziuni-centrale>

mission extends to prevent and counteract violations of forest legislation as well as to undertake control measures over the implementation of specific forest-related activities (such as regeneration, exploitation, plantation etc.). It conducts both planned and ad-hoc inspections, and results are made public through technical reports. The IEP work implies lots of communication and awareness measures, especially with landowners and forest-resource users who often neglect legal prescriptions. This is among the most critical challenges the IEP's staff face, specifically in vulnerable regions where illegal activities driven by livelihood needs or by commercial interests (e.g., illegal tree cutting, poaching) need to be peacefully solved.

**64. Is the impact of projects and plans on protected areas assessed before their authorisation? What are the criteria used for the assessment? How are the cumulative impacts from other plans and projects taken into account in these assessments?**

The *Law on state protected areas No. 1538/1998* states that any projects or plans in protected areas (such as restoration, infrastructure construction, other economic activities) are subject to a state expertise undertaken by the central environmental authorities according to the *Law on ecological expertise No. 851/1996*<sup>427</sup>. Technically, any project and/or planning documentation submitted for state ecological expertise goes through a complex examination, which looks into maintaining ecosystems' stability against a possible impact. *Law on environmental impact assessment (EIA) No. 86/2014* establishes the selection criteria for determining the need to carry out EIA as well as lists all types of activities subject to EIA, all according to the country's needs and the Espoo Convention.

In order to transpose the Art. 6 para. (3) and (4) of Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora, published in the Official Journal of the European Union No L 206 of 22 July 1992, as last amended by Directive 2013/17/EU of 13 May 2013, in 2021 was initiated the process of amending the Law No. 11/2017 on Strategic Environmental Assessment and the Law No. 86/2014 on environmental impact assessment. The draft law concerns the regulation of biodiversity assessment (appropriate assessment) as an integral part of the strategic environmental assessment and environmental impact assessment procedure for any projects or policy and planning documents, by the case which may have a significant impact on the elements of Emerald network provided for in Law no. 94/2007 on the ecological network and which do not have a direct link with the management of these elements or do not result from that management.

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<sup>427</sup> [https://www.legis.md/cautare/getResults?doc\\_id=109128&lang=ro](https://www.legis.md/cautare/getResults?doc_id=109128&lang=ro)

**65. Is the legislation on hunting allowing the hunting of strictly protected species listed on the Annex IV of the Habitats Directive and the birds not listed in Annex II of the Birds Directive?**

The legal framework of Moldova does not allow any hunting of strictly protected species listed on the Annex IV of the Habitats Directive and the birds not listed in Annex II of the Birds Directive. Hunting of strictly protected species is prohibited by the *Law No. 298/2018 on hunting and hunting fund*<sup>428</sup>. The Law is under revision in order to improve regulatory framework of hunting activities<sup>429</sup>.

**66. Please describe the general policy and legislative basis for soil protection, including provisions for the identification and management of contaminated sites.**

In order to protect the soil, the legislation in force establishes a series of obligations for landowners for any reason, legal protection being considered the most effective means of preserving and improving their quality.

The legal protection of lands aims at both quantitative protection (complete use and preservation of the use of these lands, their fertility, etc.) and their qualitative protection (execution of soil conservation and improvement works based on studies and projects, prevention and removal of degradation of physico-chemical and biological quality).

The Constitution (Art. 46) enshrines a general obligation for the landowners of any title and for the public authorities, to elaborate studies and projects of works for the protection and improvement of the soil quality, but also their execution.

The Environmental Strategy for the years 2014 - 2023 has a specific objective to improve soil quality and ecological reconstruction of degraded land for soil remediation and protection

Also, within the Ministry of Environment (competent authority responsible for the policy development in soil protection) the department of Monitoring of Natural resources of the Environment agency is in duty to provide monitoring and database for soil resources, as well as the Laboratory of soil quality provide laboratory analysis of soil samples to ensure monitoring of soil pollution and quality.

Law No. 86 of 29.05.2014 on environmental impact assessment, which partially transposes Directive 2011/92/EU of the European Parliament and of the Council of 13.12.2011 on the assessment of the effects of certain public and private projects on the environment (codified text) to prevent or minimize impacts on all

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<sup>428</sup> [https://www.legis.md/cautare/getResults?doc\\_id=112805&lang=ro](https://www.legis.md/cautare/getResults?doc_id=112805&lang=ro)

<sup>429</sup> <https://particip.gov.md/ro/document/stages/ministerul-mediului-anunta-consultarea-publica-avizarea-si-expertizarea-proiectului-de-lege-privind-modificarea-unor-acte-normative-nr-unic-620mm2021/8768>

environmental components, including soil protection, that may occur as a result of economic activities.

Land Code No. 828/1991 provides obligations and competences of various state institutions related to the protection and usage of land and soil as well increasing its fertility<sup>430</sup>.

Law No. 1247/1992 on state regulation of land ownership, state land cadaster and land monitoring<sup>431</sup>; establishes the mechanism for rational use of land and protection of the environment, with a focus on land monitoring<sup>432</sup>.

Law No. 1515/1993 on environmental protection<sup>433</sup> represent in this case the basic legal framework for the elaboration of special normative acts and instructions on special issues in the field of environmental protection including soil and subsoil protection. Besides the Law provides roles and responsibilities of central and local state institutions regarding the combating landslides, erosion, salinization, compaction and pollution of soils with mineral fertilizers and pesticides, rational use of grasslands, distribution of land to ensure the necessary degree of afforestation, creation of forest protection curtains and green spaces. The Chapter V contains a dedicated part/section to Soil and geo ecosystem protection.

Government Decision No. 1001/2014 on the approval of the Concept of the Information System "Soil Register of the Republic of Moldova"<sup>434</sup> represents a system for collecting, processing and presenting information, the Information System "Register of Soils of the Republic of Moldova" provides:

- accumulating and managing information on soil resources in a single information space;
- informational support of the real estate market;
- providing information on soil credit for tax purposes;
- information base for different geoinformation systems;
- guarantees for the participation of our country in joint projects of economic development and investment security.

Government Decision No. 1157/2008 on the approval of the Technical Regulation "Soil protection measures in agricultural practices"<sup>435</sup> transposes the Council Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture. This Technical Regulation establishes measures to prevent the processes of soil degradation, which occur naturally and may be caused by agricultural works that undermine the ability of the soil to perform its functions, as well as requirements for agricultural land users (hereinafter - users ) to apply preventive measures of an organizational,

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<sup>430</sup> [https://www.legis.md/cautare/getResults?doc\\_id=130650&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=130650&lang=ro#)

<sup>431</sup> [https://www.legis.md/cautare/getResults?doc\\_id=109453&lang=ro](https://www.legis.md/cautare/getResults?doc_id=109453&lang=ro)

<sup>432</sup> [https://www.legis.md/cautare/getResults?doc\\_id=109453&lang=ro](https://www.legis.md/cautare/getResults?doc_id=109453&lang=ro)

<sup>433</sup> [https://www.legis.md/cautare/getResults?doc\\_id=130524&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=130524&lang=ro#)

<sup>434</sup> [https://www.legis.md/cautare/getResults?doc\\_id=129944&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=129944&lang=ro#)

<sup>435</sup> [https://www.legis.md/cautare/getResults?doc\\_id=114245&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=114245&lang=ro#)

agrotechnical, phyto-ameliorative and hydrotechnical nature, in case, as a result of land use, degradation and impediments in the realization of the natural functions of the soil (environmental, economic, social and cultural) may occur.;

Government Decision No 404/1994 on the approval of the Basic Principles for the Restoration of Degraded Land<sup>436</sup> is a guiding document establishing the principles on the restoration of degraded lands as result of exploitation.

In line with this, the following mechanisms and procedures have recently been approved to ensure the sustainable management of soil resources and to stimulate the execution of protection, conservation, and soil quality improvement works:

Government Decision No. 864 /2020 on the approval of the Land Improvement Programme for ensuring sustainable management of soil resources for 2021-2025 and the Action Plan for 2021-2023 on its implementation<sup>437</sup> This Program is developed based on the analysis and evaluation of the results obtained in previous works, in order to ensure the achievement of the objectives set by 2025 and to implement measures to prevent, stop soil degradation and increase their fertility. The first stage covers the years 2021-2023 and includes land improvement works, protection, conservation and increase of soil fertility, carried out for:

- to protect the soil against the mechanical action of water and wind (a category that includes the complex of works for the prevention and control (control) of soil erosion);
- to restore (complete) the humidity deficit (category that includes land irrigation);
- to prevent or eliminate excess water from the soil, from its surface (category in which falls drainage and drainage);
- to restore the soils (category in which the construction and exploitation works of the hydrotechnical objects fall, the works of selective stripping and covering of the damaged or degraded lands, the works of improvement of the alkaline and saline soils).;

Government Decision No. 985/ 2020 on the approval of the Regulation on the conditions and procedure for granting advance subsidies for land improvement investment projects for the implementation of the Land Improvement Programme for ensuring sustainable management of soil resources for the years 2021-2025<sup>438</sup> stipulates measures, conditions, and procedures for the award of grants in advance for:

- 1 activities related to the prevention and control of soil erosion (wind and water) on agricultural lands affected by surface and deep erosion.

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<sup>436</sup> [https://www.legis.md/cautare/getResults?doc\\_id=114659&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=114659&lang=ro#)

<sup>437</sup> [https://www.legis.md/cautare/getResults?doc\\_id=125027&lang=ro](https://www.legis.md/cautare/getResults?doc_id=125027&lang=ro)

<sup>438</sup> [https://www.legis.md/cautare/getResults?doc\\_id=125168&lang=ro](https://www.legis.md/cautare/getResults?doc_id=125168&lang=ro)

- activities related to the chemical improvement of soils on agricultural lands with salinized-salinized soils (semi hydromorphic and hydromorphic);
- activities related to conservation and increasing the fertility of agricultural land soils.;

Government Decision No. 835/ 2020 approving the Regulation on maintenance of the Information System "Soil Register of the Republic of Moldova"<sup>439</sup> establishes the rules for registration, updating and deletion of data describing the soil cover of the Republic of Moldova, determines the responsibility and powers to maintain the Soil Register of the Republic of Moldova, as well as the procedure for providing and publishing information contained in the Register.

## **F. Industrial Pollution Control and Risk Management**

**67. What are the main features of the legislation concerning the permitting of industrial installations with regard to emissions of pollutants into the air, water and soil? Is there a permitting system in place based on the use of best available techniques for integrated pollution prevention and control (Industrial Emissions Directive)?**

The regulatory framework with regards to emissions into the air, water and the soil has been elaborated based on provisions of international acts to which the Republic of Moldova is a party.

With the ratification of the Convention on Long-Range Transboundary Air Pollution (CLRTAP) based on Decision of the Moldovan Parliament No. 399/ 1995, the Republic of Moldova has subsequently ratified the protocols: i) protocol to the CLRTAP Convention on the Control of Emissions of Volatile Organic Compounds or their Transboundary Fluxes; ii) the Protocol on Heavy Metals and (iii) the Protocol on Persistent Organic Pollutants.

Currently, in the Republic of Moldova, the emissions into the air, water and soil are regulated by 3 normative acts:

- Law No. 1422/1997 on atmospheric air protection<sup>440</sup>;
- Law No. 272/2011 on water<sup>441</sup>, which transposes with: Directive 91/271/EEC of 21 May 1991 concerning urban waste-water treatment; Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources; Directive 2000/60/EC of 23 October 2000 establishing a framework for Community action in the field of water policy; Directive 2006/7/EC of 15

<sup>439</sup> [https://www.legis.md/cautare/getResults?doc\\_id=124288&lang=ro](https://www.legis.md/cautare/getResults?doc_id=124288&lang=ro)

<sup>440</sup> [https://www.legis.md/cautare/getResults?doc\\_id=130529&lang=ro](https://www.legis.md/cautare/getResults?doc_id=130529&lang=ro)

<sup>441</sup> [https://www.legis.md/cautare/getResults?doc\\_id=23002&lang=ro](https://www.legis.md/cautare/getResults?doc_id=23002&lang=ro)

February 2006 concerning the management of bathing water quality; Directive 2007/60/EC of 23 October 2007 on the assessment and management of flood risks and Directive 2008/105/EC of 16 December 2008 on environmental quality standards in the field of water policy, create the necessary legal framework for the management, protection and use of water;

- Law No. 209/2016 on waste<sup>442</sup> transposing Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives. The Law on waste establishes the legal basis, state policy and measures necessary for the protection of the environment and the health of the population by preventing or reducing the adverse effects caused by the generation and management of waste and by reducing the overall effects of the use of resources and increasing the efficiency of their use.

Thus, according to Article 12 of Law No. 1422/1997, the emission of pollutants into the atmosphere is allowed, in each specific case, only based on a *Permit for the emission of pollutants into the atmosphere by fixed sources of pollution*<sup>443</sup> issued by the Environment Agency to operators, which by their activity affect the quality of atmospheric air. This permit allows emissions of pollutants into the atmosphere and sets LAE (Limited Admissible Emissions) norms of pollutants for fixed sources of air pollution, as well as other requirements and conditions that the permit holder must comply with to ensure the protection of atmospheric air. To obtain the permit, the operator submits the report on the LAE norms, the emission monitoring and control plan, the plan of measures to reduce the emission of pollutants in adverse weather conditions, the plan of environmental protection measures on actions to reduce emissions, which are endorsed with the Environment Agency.

The permit for the emission of pollutants into the atmosphere by fixed sources of pollution sets out data on the type of pollutants and the quantity of emissions authorized for the installation(s) on the site, requirements for compliance with the LAE pollutant norms; requirements for the implementation of pollution abatement and environmental protection measures, requirements for compliance with the "polluter pays" principle, requirements for monitoring emissions and informing the Environment Agency, conditions for extending, suspending or withdrawing the permit.

Article 13 letter (b) of the Law No. 1422/1997 obliges natural and legal persons carrying out production activities that generate pollutant emissions into the air to take measures to reduce pollutant emissions; According to Art.20, para. (5) of the Law No. 1422/1997, natural and legal persons carrying out production activities at

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<sup>442</sup> [https://www.legis.md/cautare/getResults?doc\\_id=130544&lang=ro](https://www.legis.md/cautare/getResults?doc_id=130544&lang=ro)

<sup>443</sup>

[https://am.gov.md/sites/default/files/document/attachments/Pasaport%20emisii%20surse%20fixe\\_compressed.pdf](https://am.gov.md/sites/default/files/document/attachments/Pasaport%20emisii%20surse%20fixe_compressed.pdf)



pollutant-generating sites shall be obliged to equip pollution sources, regardless of the period of their commissioning, with installations, machinery and equipment for the purification of emissions.

*Wastewater* emissions are included in the Environmental Permit for special water use, regulated by Art. 23 para. (1) and (2) (e) of Law No. 272/2011. Wastewater discharge is carried out only based on Environmental Permit for special water use that obliges the operator to comply with the requirements for wastewater discharge, emission limit values, technical treatment requirements, monitoring and reporting requirements.

For the authorization of wastewater discharge activities, the operator shall submit to the Environment Agency the plan and/or scheme of the land, indicating the hydro-technical constructions, the means of measuring the quantity of water to be used and discharged; the Regulation on the operation of dams, ponds and reservoirs (elaborated according Government Decision No. 977/2016)<sup>444</sup>; Calculations of the quantity of water to be used and the volume of wastewater; Results of physicochemical and/or bacteriological analyses of the water carried out by accredited laboratories in the field; Proof of publication in the local press of the announcement of the application for the issuance of the environmental permit for special water use.

According to Art.20 of Law No. 209/2016, the generation, collection, transport, storage, and treatment of hazardous waste is carried out based on the *Environmental Permit for waste management*<sup>445</sup>, issued based on provisions of Art. 25 and in compliance with the conditions set out in the permit and ensuring the record-keeping and control of hazardous waste, ensuring traceability, starting from its generation to its final disposal, treatment.

The environmental permit for waste management is issued for waste collection, transport, treatment, and disposal by landfill activities. The conditions for issuance are partly similar to the EU ones, as Law No. 209/2016 transposes Directive 2008/98/EC.

To ensure alignment with the requirements of the EU Directives in the field of regulation of industrial emissions and to fulfill the commitments undertaken in the framework of the Association Agreement, the draft Law on Industrial Emissions has been developed. The Law transposes Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (hereinafter – Directive 2010/75/EU). To be noted, that the draft law on industrial emissions also transposes the Directive (EU) 2015/2193 of the European Parliament and of the Council of 25 November 2015 on the limitation of emissions of certain pollutants into the air from medium combustion plants.

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<sup>444</sup> [https://www.legis.md/cautare/getResults?doc\\_id=110609&lang=ro](https://www.legis.md/cautare/getResults?doc_id=110609&lang=ro)

<sup>445</sup> [https://am.gov.md/sites/default/files/document/attachments/16\\_Pasaport\\_Autoriz\\_Mng\\_Deseuri.pdf](https://am.gov.md/sites/default/files/document/attachments/16_Pasaport_Autoriz_Mng_Deseuri.pdf)

The draft Law on Industrial Emissions and is in the process of endorsement/expertise with the authorities<sup>446</sup>. After the finalization of the endorsement procedure, the draft will be submitted to the Government for approval.

The draft law on industrial emissions (IEs) through the provisions of Articles 12-13 and Article 15 regulates the permitting process of activities with environmental risk and establishes general rules concerning the procedure for issuing the integrated environmental permit and the environmental permit, to the conditions and information stipulated there in per the provisions of Articles 4, 5(1) and (3), 12 and 20(1) of the Directive 2010/75/EU. The provisions of Articles 19-20 of the draft law reflect the essence of the provisions of Articles 9, 14, and 16 of the Directive 2010/75/EU, which regulate the structure and content of the integrated environmental permit and the environmental permit.

*BAT for integrated pollution prevention* Article 24 of the draft law on IEs regulates the mechanism for the periodic review of all conditions set out in the integrated environmental permit similar to Article 21 of the Directive 2010/75/EU. The provisions of Article 28 of the draft allow for the adoption and implementation of reference documents on the BATs from the Official Journal of the European Union, which at the national level will be approved by Ministry of Environment through departmental acts which attest the compliance with the provisions of Articles 13 and 14 of the Directive 2010/75/EU.

Article 29 of the draft law on IEs regulates emission limit values, parameters, and equivalent technical measures in line with the norms of Article 15 of the Directive 2010/75/EU. Annex No. 5 to the draft law on IEs establishes criteria for determining the BAT which are in line with the provisions of Annex III of the Directive 2010/75/EU. Annex No. 6 to the national draft law establishes the list of polluting substances similar to the provisions of Annex II of the Directive 2010/75/EU.

**68. What are the main features of the legislation regarding emissions from large combustion plants (rated thermal input above 50 MW), waste incineration plants and installations using organic solvents?**

Currently, in the Republic of Moldova, emissions into the atmosphere, including by large combustion plants, are regulated by Law No. 1422/1997 on atmospheric air protection<sup>447</sup> and Law No. 1515/1993 on environmental protection<sup>448</sup>.

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<sup>446</sup><https://particip.gov.md/ro/document/stages/anunt-privind-organizarea-consultarii-publice-a-proiectului-hotararii-de-guvern-pentru-aprobarea-proiectului-de-lege-privind-emisiile-industriale-numar-unic-128mm2022/8971>

<sup>447</sup> [https://www.legis.md/cautare/getResults?doc\\_id=130529&lang=ro](https://www.legis.md/cautare/getResults?doc_id=130529&lang=ro)

<sup>448</sup> [https://www.legis.md/cautare/getResults?doc\\_id=130524&lang=ro](https://www.legis.md/cautare/getResults?doc_id=130524&lang=ro)

The information on the procedure for issuing a permit for the emission of pollutants into the air by fixed sources of pollution for large combustion plants, waste incineration plants and installation using organic solvents are regulated by similar legislation that is set out in item 67.

At the same time in accordance with the Law No. 86/2014 on environmental impact assessment<sup>449</sup> that transposes the Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment, the public and private projects or types of planned activities (ex. large combustion plants, waste incineration plants) are subject of the environmental impact assessment procedure. These projects may be found in the Annex No. 1” List of planned activities subject to evaluation environmental impact” and Annex No. 2 ”List of planned activities for which the need must be established conducting the environmental impact assessment” of the Law No. 86/2014 on EIA.

According to the Governmental Decision No. 373/2018<sup>450</sup> on approval of the National Pollutant Release and Transfer Register the reporting is obligatory for installation owners, including large combustion plants. The system is more specifically described under p. 72. The data provided by operators, including LCP shall be accompanied by an indication of whether they are based on measurements or calculations, indicating the analytical method and/or calculation method used, or whether they are based on estimates.

In addition, it should be noted that the national framework provides for the suspension or withdrawal of the *Permit for the emission of pollutants into the atmosphere by fixed sources of pollution* in cases where the environment or the health of the population is seriously harmed.

In the Republic of Moldova, there are 2 large combustion plants falling under Directive 2001/80/EC, namely CET-1 (66 MW electrical capacity) and CET-2 (240 MW electrical capacity) have a *Permit for emission of air pollutants by fixed sources of pollution* (CET-1, CET-2 – thermal power plants).

In 2021, the Ministry of Environment submitted to the Energy Community the report for 2020 on emissions from large combustion plants (LCPs) according to the commitments of the Energy Community Treaty.

At the same time, to be noted that the Republic of Moldova, following the commitments undertaken in the framework of the Association Agreement and the Energy Community Treaty, has prepared a draft law on industrial emissions which transposes Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (recast). The draft law is in the process of endorsement/expertise with the

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<sup>449</sup> [https://www.legis.md/cautare/getResults?doc\\_id=106006&lang=ro](https://www.legis.md/cautare/getResults?doc_id=106006&lang=ro)

<sup>450</sup> [https://www.legis.md/cautare/getResults?doc\\_id=122933&lang=ro](https://www.legis.md/cautare/getResults?doc_id=122933&lang=ro)

authorities<sup>451</sup>. After finalization of the endorsement procedure the draft will be submitted to the Government for approval in II quarter of 2022.

Chapter V "Special Provisions for Combustion Plants" of the draft law on industrial emissions through Articles 35 to 40, regulates the activity of large combustion plants (*plants with a thermal input greater than or equal to 50 MW, regardless of the type of fuel used*), establishing special provisions for their operation, such as aggregation rules, emission limit values, conditions in case of improper operation or malfunction of abatement equipment, rules for multi-fuel plants, as well as mandatory rules on monitoring and compliance with air emission limit values similar to Articles 29-30, Articles 37-38 and Article 40 of the EU Directive. Annex No. 1 to the draft law determines the list of industrial and economic activities with significant environmental risk similar to the provisions of Annex I of the EU Directive.

Chapter VI "Special provisions for waste incineration plants and waste co-incineration plants" of the draft law on industrial emissions, through Articles 46 to 48, establishes general rules regulating waste incineration plants and waste co-incineration plants, laying down the application procedure and integrated environmental permit conditions for them, including rules on control, emission monitoring and operating conditions similar to the provisions laid down in Articles 44 to 46 of the European Directive.

To be noted that the aspects related to the transposition of mandatory provisions concerning the incineration/co-incineration of waste, as follows: Article 3, the definitions of "waste incineration plant", "waste co-incineration plant", "dioxins and furans"; Article 46, paragraphs (2)-(6) "Control of emissions"; Article 47 "Breakdown"; Article 48, paragraphs (1)-(4) "Monitoring of emissions"; Article 49 "Compliance with emission limit values"; Article 50 "Operating conditions"; Article 51 "Authorization to change operating conditions"; Article 52 "Delivery and reception of waste"; Article 53 "Residues" and Annex VI "Technical provisions relating to waste incineration plants and waste co-incineration plants" of the EU Act, according to the existing planning are to be transposed and detailed in the draft Government Decision approving the Regulation on incineration and co-incineration<sup>452</sup>.

Chapter VII "Special provisions applicable to installations and activities using organic solvents" in Articles 49 to 52, lays down special provisions applicable to installations and activities using organic solvents, requiring the substitution of certain dangerous substances by less harmful ones, establishes conditions for operators for the proper operation of installations according to Articles 58, 61 and 63 of the European Directive.

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<sup>451</sup><https://particip.gov.md/ro/document/stages/anunt-privind-organizarea-consultarii-publice-a-proiectului-hotararii-de-guvern-pentru-aprobarea-proiectului-de-lege-privind-emisiile-industriale-numar-unic-128mm2022/8971>

<sup>452</sup> <http://old.madrm.gov.md/ro/content/anun%C8%9B-privind-ini%C8%9Biarea-elabor%C4%83rii-proiectului-de-hot%C4%83r%C3%A2re-guvernului-pentru-aprobarea-1>

**69. Are there measures providing for an eco-labelling system?**

Consistent with the Governmental program on greening the SMEs and the overall provision of support for more environmentally friendly providers, the Ministry of Environment has included in the Government Action Plan for 2022 the approval of the Regulation on Eco-Labeling, in order to transpose the *Regulation (EC) No 66/2010 of the European Parliament and of the Council of 25 November 2009 on the EU Ecolabel*.

The draft Government Decision for the approval of the Ecolabel Regulation provides for the establishment of a voluntary scheme (type I - EN ISO 14024) for the promotion of products/services with a low environmental impact throughout their entire life cycle and to provide accurate, correct and scientifically substantiated information to consumers on the environmental impact<sup>453</sup>. The purpose of the draft Government Decision approving the Ecolabel Regulation is to ensure the protection of the environment, human health and promote sustainable development of the Republic of Moldova

The eco-labelling scheme will encourage economic operators to market goods/services with a low environmental impact and consumers to identify easily the goods and services that are environmentally friendly and ecologically harmless. The preliminary consultations of the Draft regulation were held based on elaborated Regulatory Impact Assessment conclusions. It is expected that the creation and implementation of the eco-labelling mechanism will be an important step and will facilitate the access of Moldovan operators to the EU market. The eco-labelling regulation promotion process is as well accompanied with consultations on improvement of the sustainable public procurement system of the country.

**70. How is the issue of industrial risks and accidents dealt with and controlled by public authorities? Is there a system in place to control major accidental hazards. Is there a policy and regulation in place to prevent major accidents and to ensure appropriate preparedness and response should such accidents nevertheless happen (e.g. Seveso)?**

In the Republic of Moldova, industrial risks and major accidents are regulated by Law No. 108/2020 on the control of major-accident hazards involving dangerous substances (SEVESO Law)<sup>454</sup>, which transposes Directive 2012/18/EU of the European Parliament and of the Council of 4 July 2012 on the control of major-accident hazards involving dangerous substances and amending and subsequently repealing Council Directive 96/82/EC. (

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<sup>453</sup><https://mediu.gov.md/ro/content/anun%C8%9B-privind-ini%C8%9Biere-elabor%C4%83rii-proiectului-regulamentului-privind-etichetarea-ecologic%C4%83>

<sup>454</sup> [https://www.legis.md/cautare/getResults?doc\\_id=122293&lang=ro](https://www.legis.md/cautare/getResults?doc_id=122293&lang=ro)

Law No. 108/2020 regulates measures to prevent major accidents involving dangerous substances and to limit their consequences for human health and the environment to ensure a high level of protection.

According to Art. 5 para. (1) the main competent authorities are the Ministry of Environment, the Ministry of Economy, the Ministry of Internal Affairs, and the Ministry of Health, which have the mission to analyze the situation and problems in the field of major accident hazard control, to develop effective public policies in the field, to monitor the quality of policies and normative acts and to propose justified interventions of the State, providing effective solutions in the field, ensuring the best ratio between expected results and foreseen costs.

Also, according to Art. 5, para. (2) of Law No.108/2020, the Environment Agency, including its territorial subdivisions, the Environmental Protection Inspectorate, the Technical Supervision Agency, the General Inspectorate for Emergency Situations and the local public administration authorities are the authorities responsible for the application of the provisions of the law.

The control duties, planning, period, frequency, investigation, and conclusions of the controls are regulated in Art. 19 of Law No. 108/2020. Thus, the Environmental Protection Inspectorate, the Technical Supervision Agency, and the General Inspectorate for Emergency Situations (as an advisory body) organize a control system adapted to the type of establishment.

To enforce the Law, the secondary normative framework is currently being developed. The development and implementation of regulations and methodologies will play an important role in reducing the impact on environmental components (water resources, harmful emissions to air and soil) in the event of Seveso-type accidents.

Therefore, the enforcement of the provisions of Law No. 108/2020, through the implementation of the secondary normative framework according to the draft Government Decision developed, establishes the effective coordination mechanisms between the authorities and the operators of the establishments falling under the provisions of the mentioned Law and the necessary measures to be taken in activities and in case of a major accident. These measures are identified in the following draft regulations<sup>455</sup>:

- Regulation on the notification procedure for activities presenting major-accident hazards involving dangerous substances;
- Framework Regulation on the elaboration of the document presenting the Major Accident Prevention Policy (MAPP) and information on the safety management system;
- Framework Regulation on general provisions for drawing up the safety report;

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<sup>455</sup><https://particip.gov.md/ro/document/stages/anunt-privind-initierea-consultarilor-publice-a-proiectului-de-hotarare-a-guvernului-privind-punerea-in-aplicare-a-prevederilor-legii-nr-1082020-privind-controlul-pericolelor-de-accidente-majore-care-implica-substante-periculoase/8438>

- Regulation on the methodological norms for the development and testing of emergency plans;
- Methodology for establishing appropriate distances in urban and spatial planning activities from establishments falling under the provisions of Law No.108/2020;
- Regulation on the procedure for prohibiting the use or putting into operation of an establishment, installation or storage area or any part thereof.

To establish prevention, control, and management measures to reduce the risk of major accidents with the involvement of dangerous substances, the mentioned regulations have been developed to ensure the safety of the population, establishments, as well as other economic agents located in their neighboring territories that can cause “domino” effects.

The Republic of Moldova also acceded to the Convention on the Transboundary Effects of Industrial Accidents (Helsinki, 17 March 1992) by Parliament Decision No. 1546/1993<sup>456</sup>, which provides for measures to be transposed into national legislation, such as prevention, preparedness, and response to industrial accidents which may have transboundary effects, as well as measures on international cooperation in this field.

**71. Is there a database providing information on the location of and substances likely to be present in industrial plants that could trigger a major accident?**

Under Art. 20 para. (5) of Law No. 108/2020 on the control of major accident hazards involving dangerous substances (SEVESO Law)<sup>457</sup>, the competent authorities referred to in Article 5 para. (1) shall develop common databases containing information on the establishments covered by the provisions of this Law, as well as major incidents and accidents that have occurred on the territory of the Republic of Moldova.

Following a nationwide analysis, about 30 *"Seveso" establishments* were identified, which fall under the scope of Law No. 108/2020, 10 of which are of higher level, most of which are oil companies managing hazardous substances with quantities above 5000 tonnes.

At the same time, according to the draft normative acts for the enforcement of Law No.108/2020, information on the location and substances that could be present in industrial installations that could trigger a major accident is to be included in the electronic inventory of the establishments. This will be initiated following the approval of regulations and methodologies on the implementation of the provisions of Law No. 108/2020 on the control of major accident hazards involving dangerous substances.

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<sup>456</sup> [https://www.legis.md/cautare/getResults?doc\\_id=118186&lang=ro](https://www.legis.md/cautare/getResults?doc_id=118186&lang=ro)

<sup>457</sup> [https://www.legis.md/cautare/getResults?doc\\_id=122293&lang=ro](https://www.legis.md/cautare/getResults?doc_id=122293&lang=ro)

Thus, according to the draft Regulation on the notification procedure for activities presenting major accident hazards involving dangerous substances, the correct information on the quantities of dangerous substances held on the establishment will be collected, and an inventory will be drawn up of Seveso-type establishments vulnerable to the surrounding environment that operate, keep, and maintain potentially dangerous equipment and installations.

**72. Is there a register of annual releases (to air, water and land) and waste transfers that provides public access to information on the environmental performance of large agro-industrial installations (E-PRTR Regulation)?**

The Republic of Moldova has had significant success in putting into place the PRTR system. At legal level, the PRTR Regulation and Technical Concept for PRTR were approved by the Government Decision No. 373/2018<sup>458</sup>. The PRTR reporting is obligatory for installation owners. All 9 activity sectors were introduced in Annex nr. 1 to PRTR Regulation. The extended list of pollutants (comprising 103 items) is reflected under Annex No. 2 to PRTR Regulation.

At methodological level, during 2017-2019, developing of the national guides on the estimation techniques for all the sectors present in the country (8 sectors)<sup>459</sup>, thus:

- emissions on air from stationary sources are based on IPCC, EMEP/EEA and UNEP Guidelines.
- releases to water are based on measurements (Regulation on requirements for the collection, treatment and discharge of wastewater into the sewage system and/or in water bodies in urban and rural areas (Government Decision No. 950/2013<sup>460</sup>));
- transfer of waste is based on European waste classification (Instruction on keeping records on waste generation and management (Government Decision No. 501/2018<sup>461</sup> and Waste List - approved by Government Decision No. 99/2018<sup>462</sup>).

National Guide to facilitate the implementation of the PRTR Registry (compliant with the E-PRTR guide) was developed and approved by the Order of the Minister of Agriculture, Regional Development and Environment No. 140/2019. This document provides guidance on the various reporting processes as set out in the PRTR Regulation.

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<sup>458</sup> [https://www.legis.md/cautare/getResults?doc\\_id=122933&lang=ro](https://www.legis.md/cautare/getResults?doc_id=122933&lang=ro)

<sup>459</sup> LIBRARY (gov.md)

<sup>460</sup> Governmental Decision nr. 950/2013 [https://www.legis.md/cautare/getResults?doc\\_id=120783&lang=ro](https://www.legis.md/cautare/getResults?doc_id=120783&lang=ro)

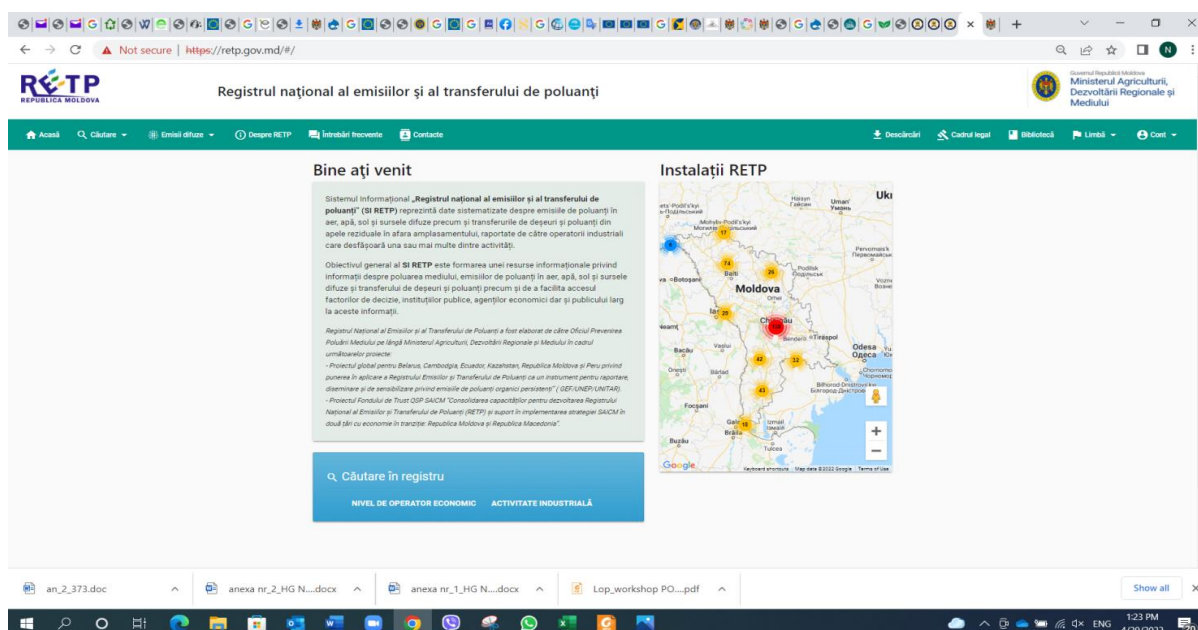
<sup>461</sup> Governmental Decision 501/2018 [https://www.legis.md/cautare/getResults?doc\\_id=108614&lang=ro](https://www.legis.md/cautare/getResults?doc_id=108614&lang=ro)

<sup>462</sup> Governmental Decision 99/2018 [https://www.legis.md/cautare/getResults?doc\\_id=102107&lang=ro](https://www.legis.md/cautare/getResults?doc_id=102107&lang=ro)



**PRTR IT/Software.** The registry prototype was developed in 2018 and its biggest advantage is that the PRTR registry is located at governmental server MCloud, so it is fully functioning and compatible <https://retp.gov.md/>. According to the regulation the acronym of the system is “SIA REPT”.

The Information System “National Pollutant Release and Transfer Register” (IS PRTR) aims to collect and process information on pollutant emissions and transfer, create an information resource with systematized data on pollutant emissions to air, water, soil and diffuse sources, as well as waste shipments and off-site wastewater pollutants, generating reports on data collected and processed. The data in the IS PRTR are reported annually by economic operators carrying out one or more activities with an impact on the environment.



#### PRTR actors:

- the owner of SIA "RETP" is the competent authority - the Ministry of Environment;
- the holder of the SIA „RETP” - the Environmental Agency;
- the information registrars in SIA „RETP” are the following institutions:
  - Environmental Agency (data received from information providers)
  - the control body in the field of environment - Inspectorate for Environmental Protection (data on diffuse sources);
- data providers:
  - operators registered in the system (data on pollutants emitted or transferred);
  - Environmental Protection Inspectorate (data on non-sanitary and illegal landfills, in accordance with Law no. 209/2016 on waste);
  - Water Agency "Apele Moldovei" (data on aquatic resources);

- National Agency for Food Safety (data related to the use of phytosanitary products and fertilizers, data on livestock farms with surface area and unorganized wastewater disposal);
- Public Services Agency (data on the number of cars and types of engines taken from the State Register of transport units);
- National Bureau of Statistics (statistical data on energy balance);
- the recipients of the SIA "RETP" data are:
  - operators;
  - the Ministry Environment and its subordinate institutions;
  - the specialized central bodies of the state;
  - the public.

**Reporting:** In 2017 – the first reporting year for PRTR in Moldova the total number of 75 economic operators were registered within the system, the total number of 192 installations were introduced, 162 reports submitted (mostly for releases to air from thermal power stations). Reported releases to air for 30 pollutants.

- **2018** – 188 operators registered and reporting.
- **2019** – 192 operators registered and reporting.
- **2020** – 192 operators registered and reporting.
- **2021** – **193** operators registered and reporting.

**Communication and training:** PRTR registry targets several groups: industry representatives, officials and the civil society.

For the general public various tools were developed: information booklets, thematic postings, TV and radio programs. The PRTR issue was broadcasted on the official website of the Ministry of Environment and other news websites.

For business representatives, a yearly cycle of training is organized by the Environment Agency with support of various TA projects, allowing to disseminate the information on PRTR not only as an obligatory reporting tool, but also to present them the advantages of promoting transparency in their business activity, using the international examples.

For the environmental authorities' continuous training is developed and special IT support rendered to Environmental Agency staff, responsible for PRTR Moldova maintenance and update.

The implementation of the IS PRTR takes place in accordance with the provisions of the Protocol of the Economic Commission for Europe and the UN on the Pollutant Release and Transfer Registers and Regulation No. 166/2006/EC of the European Parliament and of the Council of 18 January 2006 establishing the

European emissions and transfer of pollutants. Following the implementation of IS PRTR, this system will be part of the European E-RETP network.

## G. Chemicals

**73. What are the legal acts and the main features of the legislation concerning chemical substances and mixtures? Is Moldova's legislation aligned with EU's requirements on Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), persistent organic pollutants (POPs), plant protection products, biocides and asbestos?**

Law on chemicals No. 277/2018<sup>463</sup> embraces and partially transposes the key EU chemicals directives and regulations, such as Regulation (EC) No. 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), Regulation (EC) No. 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, Regulation (EU) no. 649/2012 of the European Parliament and of the Council of 4 July 2012 concerning the export and import of hazardous chemicals Regulation (EU) no. 528/2012 of the European Parliament and of the Council of 22 May 2012 on the placing on the market and use of biocidal products, Regulation (EC) No. 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products and GLP. The law regulates the obligations of individuals and legal persons that produce or place on the market substances or mixtures; prohibitions and restrictions on the manufacture, marketing, import, export and use of hazardous chemicals and mixtures; conditions for classification, packaging and labeling of chemical substances and mixtures; creating and maintaining the registry of chemicals; chemical products reporting procedure; authorization of hazardous chemicals; reporting obligations; control and other issues related to chemical substances and mixtures.

The scope and the definitions (chemical, substance, active substance, mixture, packaging, article, detergent, distributor, supplier of a substance or a mixture, supplier of an article, operators in the supply chain, biocides, pesticides, restrictions) of the Law on chemicals are similar to the scope and definitions of the CLP, REACH and PIC Regulations.

The Law on Chemicals transposes the following articles of the EU acquis:

- Articles 1, 2, 4, 5, 6, 8, 35, 43, 46, 47, 49 of Regulation No. 1272/2008/EC of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures,

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<sup>463</sup> [https://www.legis.md/cautare/getResults?doc\\_id=112668&lang=ro](https://www.legis.md/cautare/getResults?doc_id=112668&lang=ro)

amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation No 1907/2006/EC (Text with EEA relevance);

- Articles 1-3, 5-7, 14, 31, 32, 34, 35, 56, 60-62, 68, 118, 119, 121, 123, 125, 126, Annex IV and Section 18a (Mercury) of Annex XVII of Regulation No. 1907/2006/EC of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation No 1488/94/EC as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (Text with relevance EEA);
- Articles 1-4, 18, 28 of Regulation (EU) No. 649/2012/EU of the European Parliament and of the Council of 4 July 2012 concerning the export and import of hazardous chemicals (recast) (Text with EEA relevance);
- Articles 1, 2, 4-6, 10 of Regulation No. 648/2004/EC of the European Parliament and of the Council of 31 March 2004 on detergents (Text with EEA relevance);
- Articles 1-3, 28, 29, 31, 33, 40, 44 of Regulation No. 1107/2009/EC of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products and repealing Directives 79/117 / EEC and 91/414 / EEC;
- Articles 1, 3, 17, 19, 20, 22, 25, 48 and Annex V of Regulation (EU) no. 528/2012 of the European Parliament and of the Council of 22 May 2012 on the placing on the market and use of biocidal products (Text with EEA relevance);
- Articles 1, 3, 8 of Regulation No. 850/2004/EC of the European Parliament and of the Council of 29 April 2004 on persistent organic pollutants and amending Directive 79/117 / EEC;
- Article 1 of Directive 2004/9 /EC of the European Parliament and of the Council of 11 February 2004 on the inspection and verification of good laboratory practice (GLP) (codified version) (Text with EEA relevance);
- Article 1 and the notion of "good laboratory practices", Section I of Directive 2004/10 / EC of the European Parliament and of the Council of 11 February 2004 on the approximation of the laws, regulations and administrative provisions relating to the application of good laboratory practice and the verification of their applications for tests on chemical substances (codified version) (Text with EEA relevance);
- Article 1 of Directive 2006/66 / EC of the European Parliament and of the Council of 6 September 2006 on batteries and accumulators and waste batteries and accumulators and repealing Directive 91/157 / EEC (Text with EEA relevance);
- Article 1 of Directive 2011/65 / EU of the European Parliament and of the Council of 8 June 2011 on the restriction of use of certain hazardous

substances in electrical and electronic equipment (Text with EEA relevance) and Article 11 of Directive 94/62 / EC of the European Parliament and of the Council of 20 December 1994 on packaging and packaging waste.

Article 5 of Law No. 277/2018 on Chemicals which is in line with the general principles of environmental and health protection , includes the following principles:

- precautionary principle in the management of hazardous substances and chemical mixtures in order to prevent the impact on human health, the environment and property;
- principle of transparency to consumers, ensuring access to information regarding the negative effects that may be generated by hazardous chemicals and mixtures;
- principle of security of operations for managing hazardous chemicals and mixtures;
- principle of “green chemistry” also called “sustainable chemistry” to encourage designing products and processes which reduce or eliminate the use and generation of hazardous substances.

In order to implement requirements of the Law the following secondary legislation was approved:

- Government Decision No. 505/2020 on approval of the Regulation on import and export of hazardous chemicals<sup>464</sup> which transposes Regulation (EU) No 649/2012 of the European Parliament and of the Council of 4 July 2012 concerning the export and import of hazardous chemicals.
- Government Decision No. 344/2020 for the approval of the Sanitary Regulation on making available on the market and the use of biocidal products<sup>465</sup>
- Government Decision No.81/2009 for the approval of the Regulation on polychlorinated biphenyls establishes the requirements on regulation of PCBs and equipment containing PCB<sup>466</sup> which transposes Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products.
- Government Decision No. 535/2020<sup>467</sup> for the approval of the Technical Concept for Automatic Information System "Registry of chemicals placed on the market of the Republic of Moldova", [www.repc.gov.md](http://www.repc.gov.md).

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<sup>464</sup> [https://www.legis.md/cautare/getResults?doc\\_id=122468&lang=ro](https://www.legis.md/cautare/getResults?doc_id=122468&lang=ro)

<sup>465</sup> Link: [https://www.legis.md/cautare/getResults?doc\\_id=122109&lang=ro](https://www.legis.md/cautare/getResults?doc_id=122109&lang=ro)

<sup>466</sup> Link: [https://www.legis.md/cautare/getResults?doc\\_id=119567&lang=ro](https://www.legis.md/cautare/getResults?doc_id=119567&lang=ro)

<sup>467</sup> [https://www.legis.md/cautare/getResults?doc\\_id=122470&lang=ro](https://www.legis.md/cautare/getResults?doc_id=122470&lang=ro)

A series of regulations are under development and enforcement as Government Decisions: Chemicals Agency Regulation<sup>468</sup>, CLP Regulation<sup>469</sup>; GLP Regulation, Detergents Regulation, POPs Regulation; Regulation on authorisation of hazardous chemicals; Prohibitions and Restrictions on the production, placing on the market, use and export of chemicals and on the list of prohibited and restricted chemicals Regulation; Safety Data Sheet Regulation.

## REACH

The Law on chemicals No. 277/2018 contains general provisions on prohibitions and restrictions registration, authorization and reporting of chemicals harmonized with REACH as follows:

- Chapter III General responsibilities and liabilities of operators in the supply chain of Law No. 277/2018 transposes Art. 31 Requirements for safety data sheets, Art. 32 Duty to communicate information down the supply chain for substances on their own or in mixtures for which a safety data sheet is not required and Art. 35 Access to information for workers of REACH Regulation.
- Chapter IV. Prohibitions and restrictions of Law No. 277/2018 transposes Art. 68 Introducing new and amending current restrictions of REACH Regulation.
- Chapter VII. Registration and authorisation (containing Section 1. Registration of chemicals and Section 2. Authorization of hazardous chemicals) transposes Art.e 56 General provisions, Art. 60 Granting of authorisations, Art. 61 Review of authorisations and Art. 62 Applications for authorisations of REACH Regulation.
- Chapter XII. Confidentiality of Law No. 277/2018 transposes Art. 118 Access to information and Art. 119. Electronic public access of REACH Regulation.
- Chapter XIV. Liability for violation of legislation on chemicals transpose Art.126 Penalties for non-compliance of REACH Regulation.

As mentioned above, the following regulations shall be developed to provide the mechanism of application of registration, authorization and restriction of chemicals: Authorisation of hazardous chemicals Regulation, Prohibitions and Restrictions on the production, placing on the market, use and export of chemicals and on the list of prohibited and restricted chemicals Regulation, Safety Data Sheet Regulation.

In line with Art. 17. Prohibitions and restrictions for some chemicals and mixtures, para (5) of Law No. 277/2018 and taking into account principle of extended producer responsibility, the Law No. 209/2016 on waste and other relevant regulations have also established some provisions on restriction and interdiction

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<sup>468</sup> [https://cancelaria.gov.md/sites/default/files/document/attachments/proiectul\\_648\\_0.pdf](https://cancelaria.gov.md/sites/default/files/document/attachments/proiectul_648_0.pdf)

<sup>469</sup> [https://cancelaria.gov.md/sites/default/files/agenda\\_08\\_09\\_2020.semnat.pdf](https://cancelaria.gov.md/sites/default/files/agenda_08_09_2020.semnat.pdf)

of certain hazardous substances such as heavy metals (mercury, lead and cadmium) and others (POP-PBDEs) in electrical and electronic equipment, in vehicles, accumulators and batteries, packaging or packaging components.

## **POPs**

The Law on chemicals no. 277/2018 contains general provisions on prohibitions and restrictions of POPs and transposes:

Articles 1, 3, 8 of Regulation (EC) No. 850/2004 of the European Parliament and of the Council of 29 April 2004 on persistent organic pollutants and amending Directive 79/117 EEC (repealed by Regulation (EU) 2019/1021 of the European Parliament and of the Council of 20 June 2019 on persistent organic pollutants);

The Law on waste No. 209/2016<sup>470</sup> establishes in Art. 53 on Persistent Organic Pollutants Stocks and Waste in para (1) prohibits marketing and using substances listed in the Annex 6 of the Law on waste either individually or in preparations or as constituents of articles, in order to protect human health and the environment, and prevent the formation of hazardous waste. Para (2) contains provisions related to management of POPs waste. It should be noted that the article represents a general background for transposition of the EU POPs Regulation. The Annex 6 to Law on Waste needs to be updated in accordance with the latest version of the Regulation 2019/1021 of 20 June 2019 on POPs (the annex shall be supplemented with Decabromodiphenyl ether (BDE-209) present in commercial decabromodiphenyl ether, Hexabromocyclododecane, Pentachlorophenol and its salts and esters).

The Government Decision on approval of POPs Regulation transposing Regulation 2019/1021 of 20 June 2019 on persistent organic pollutants is planned to be elaborated and enforced in 2023.

## **Plant protection products**

**Law on phytosanitary products and fertilizers No. 119/2004**<sup>471</sup> transposes the provisions of art. 1 and 3 of Directive 2009/128 / EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action for the sustainable use of pesticides and Article 3 and 59 Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC. C. It establishes the legal bases and state policy in the field of activity with phytosanitary products and fertilizers, regulates conditions of research, testing, experimentation and state approval, of manufacture, import, transport, storage, marketing and the safe use of substances for human health, animals and the environment, it regulates the state surveillance and control over the observance of the legislation in force, determines the rights

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<sup>470</sup> [https://www.legis.md/cautare/getResults?doc\\_id=130544&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=130544&lang=ro#)

<sup>471</sup> [https://www.legis.md/cautare/getResults?doc\\_id=107644&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=107644&lang=ro#)

and obligations of enterprises, institutions, organizations and citizens, the powers of the competent authorities in the field and the facts that constitute violations of present Law.

Law on plant protection and phytosanitary quarantine No. 228/2010<sup>472</sup> is partially harmonized with Directive 2000/29/EC, Directive 98/22/EC, Directive 2004/103/EC, Directive 93/50/EC, Directive 77 /93/EEC, Regulation (EC) no. 1756/2004, Directive 2000/29/EC. The purpose of the law is to strengthen the legal and institutional framework, in creating economic-legal conditions suitable for the organization and conduct of plant protection and plant quarantine protection, to ensure:

- a) preventing the mass spread of harmful organisms, avoiding the loss of crops and obtaining a high agricultural production, especially organic ones.
- b) protection of the territory of the country against the introduction, spread and / or migration, including from other countries, of harmful organisms.

In accordance with the Law on plant protection and phytosanitary quarantine No. 228/2010, the competent authority keeps records of permitted PPP included in the State Register of plant protection products and fertilizers allowed for use in the Republic of Moldova.

Law on chemicals No. 277/2018<sup>473</sup> -transposes Articles 1-3, 28, 29, 31, 33, 40, 44 of Regulation (EC) No. 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products and repealing Directives 79/117 / EEC and 91/414 / EEC.

## **Biocides**

Law on chemicals No. 277/2018<sup>474</sup> partially transpose the key EU chemicals regulations, in particular Articles 1, 3, 17, 19, 20, 22, 25, 48 and Annex V of Regulation (EU) No. 528/2012 of the European Parliament and of the Council of 22 May 2012 on the placing on the market and use of biocidal products (Text with EEA relevance).

Government Decision No. 344/2020<sup>475</sup> for the approval of the Sanitary Regulation on making available on the market and the use of biocidal products partially transposes Regulation (EU) No 568/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products (Text with EEA relevance, as was last time amended by Regulation (EU) No. 1095/2010. 334/2014 of the European Parliament and of the Council of 11 March 2014. The purpose of this Regulation is to improve the functioning of the internal market by harmonizing the rules on the placing on the

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<sup>472</sup> [https://www.legis.md/cautare/getResults?doc\\_id=106744&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=106744&lang=ro#)

<sup>473</sup> [https://www.legis.md/cautare/getResults?doc\\_id=112668&lang=ro](https://www.legis.md/cautare/getResults?doc_id=112668&lang=ro)

<sup>474</sup> [https://www.legis.md/cautare/getResults?doc\\_id=112668&lang=ro](https://www.legis.md/cautare/getResults?doc_id=112668&lang=ro)

<sup>475</sup> [https://www.legis.md/cautare/getResults?doc\\_id=122109&lang=ro](https://www.legis.md/cautare/getResults?doc_id=122109&lang=ro)



market and use of biocidal products, while ensuring a high level of protection of human and animal health and of the environment. The provisions of this Regulation are based on the precautionary principle, the purpose of which is to secure the health of humans and animals as well as the protection of the environment.

## **Asbestos**

Art. 20 para (3) of the Law No. 1422/1997<sup>476</sup> on Atmospheric Air Protection has established restrictions on manufacture, import, placing on market and use of certain hazardous substances listed in Annex to this law, including Asbestos fibers: Crocidolite (CAS No 12001-28-4), Amosite (CAS No 12172-73-5), Anthophyllite (CAS No 77536-67-5), Actinolite (CAS No 77536-66-4) and Tremolite (CAS No 77536-68-6).

The Law No. 1422/1997 does not prohibit the use of Chrysotile (CAS No. 12001-29-5 and CAS No 132207-32-0).

The draft Law on industrial emissions<sup>477</sup> includes provisions restricting and banning asbestos, including Chrysotile.

The Art. 59 of the Law No. 209/2016 on waste<sup>478</sup> established provisions on management of waste consisting of or containing asbestos. Asbestos waste shall be managed in a way that is not harmful for human health and for the environment, in line with requirements of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, that the Republic of Moldova adhered to by the Parliament Decision No. 1599/1998, and the guidelines adopted thereby. Asbestos waste shall be collected separately, packaged, labelled, stored and disposed of in a landfill located in a special place for the disposal of asbestos waste. The collection, transport, landfill, treatment or disposal of asbestos waste shall be underlain by the environmental permit for waste management, issued in accordance with Article 25 of the Law No. 209/2016 on waste.

The normative act on Minimum requirements for the protection of workers from the risks related to exposure to asbestos at work approved by Government Decision No. 244/2013<sup>479</sup> transposes Directive 2009/148/EC of the European Parliament and of the Council of 30 November 2009 on the protection of workers from the risks related to exposure to asbestos at work.

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<sup>476</sup> [https://www.legis.md/cautare/getResults?doc\\_id=130529&lang=ro](https://www.legis.md/cautare/getResults?doc_id=130529&lang=ro)

<sup>477</sup> <https://particip.gov.md/ro/document/stages/anunt-privind-organizarea-consultarii-publice-a-proiectului-hotararii-de-guvern-pentru-aprobarea-proiectului-de-lege-privind-emisiile-industriale-numar-unic-128mm2022/8971>

<sup>478</sup> [https://www.legis.md/cautare/getResults?doc\\_id=130544&lang=ro](https://www.legis.md/cautare/getResults?doc_id=130544&lang=ro)

<sup>479</sup> [https://www.legis.md/cautare/getResults?doc\\_id=125201&lang=ro](https://www.legis.md/cautare/getResults?doc_id=125201&lang=ro)

**74. Is there an official register of chemicals which are on the market? Are the "new" chemical substances registered and characterized before being put on the market?**

The Automatic Information System "Registry of chemicals placed on the market of the Republic of Moldova", [www.repc.gov.md](http://www.repc.gov.md) is created on the basis of Government Decision No. 535/2020<sup>480</sup> and represents the specialized information resource of the chemicals placed on the market of the Republic of Moldova.

According to Article 21 the Law on chemicals No. 277/2018 the following main requirements for registration of chemicals are stipulated:

- Chemicals on their own, in mixtures or in articles shall not be placed on market unless are registered in accordance with the relevant provisions of the present Law and normative acts approved by the Government.
- Substances are registered in the Automatic Information System "Registry of chemicals placed on the market of the Republic of Moldova", mentioned in Art. 30 of Law, and maintained by the National Agency (*National Agency for the Regulation of Nuclear, Radiological and Chemical Activities*).
- If the chemical is placed on market has already been registered at European level by the European Chemicals Agency (ECHA) at the time of entry into force of this Law, the manufacturer or importer shall submit proof of its registration, accompanied by the registration dossier, submitted to ECHA to be included in the Automatic Information System "Registry of chemicals placed on the market of the Republic of Moldova".
- In order to be registered in the Automatic Information System "Registry of chemicals placed on the market of the Republic of Moldova", the producers or importers of substances on their own, in mixture or articles in quantities of 100 kg or more must submit a registration request to the National Agency. Registration of chemicals is fee based.

**75. Are there rules on hazard classification, packaging and labelling for chemicals (for both substances on their own, substances in articles and mixtures)? Please describe. Are they aligned with the Globally Harmonized System of Classification and Labelling of Chemicals (UNGHS) and the EU Classification, labelling and packaging Regulation?**

Law on chemicals No. 277/2018 contains provisions on CLP (see p.73 for more details) Article 14 of the Law establishes provisions for Packaging of Substances and Mixtures, as follows:

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<sup>480</sup> [https://www.legis.md/cautare/getResults?doc\\_id=122470&lang=ro](https://www.legis.md/cautare/getResults?doc_id=122470&lang=ro)

- Packaging of substances and mixtures is carried out before placing on the market, in a way that ensures their safety delivery and not endanger the environment, life and health of humans and other living organisms.
- Substances and mixtures shall be placed on the market only when they are packaged according to this law and the Regulation on classification, labeling and packaging of substances and mixtures, approved by the Government.
- Packages containing hazardous substances and mixtures shall meet the following requirements:
  - the materials constituting the packaging and fastenings shall not be susceptible to damage by the contents, or liable to form hazardous compounds with the contents;
  - the packaging and fastenings shall be strong and solid throughout to ensure that they will not loosen and will safely meet the normal stresses and strains of handling.
- Packaging containing a hazardous substance or mixture supplied to the general public shall not have either a shape or design likely to attract or arouse the active curiosity of children or to mislead consumers, or have a similar presentation or a design used for foodstuff or animal feeding stuff or medicinal or cosmetic products, which would mislead consumers.
- Packaging of hazardous substances or mixtures shall be equipped with a fastening resistant system for children and tactile warning of danger in accordance with the Regulation on classification, labeling and packaging of substances and mixtures mentioned in para. (2) of this Article.

Draft Government Decision on the classification, labeling and packaging of substances and mixtures is in process of elaboration <sup>481</sup>, and pending approval in 2023. It will transpose the Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC. The Draft Regulation have been submitted to the Government for approval.<sup>482</sup>

**76. Is there a registration/authorisation procedure for pesticides, i.e. plant protection products (agricultural pesticides) and/or biocides (non-agricultural pesticides)?**

*Registration/authorization of agricultural pesticides.*

The Government Decision No. 960/2020<sup>483</sup> regarding the State Service "State Centre for Certification and Approval of Products for Phytosanitary Use and Fertilizers" establishes the competent authority for the organization, coordination

<sup>481</sup><https://old.madrm.gov.md/ro/content/anunt-privind-initierea-elaborarii-proiectului-de-hotarire-guvernului-cu-privire-la-1>

<sup>482</sup> [https://cancelaria.gov.md/sites/default/files/agenda\\_08\\_09\\_2020.semnat.pdf](https://cancelaria.gov.md/sites/default/files/agenda_08_09_2020.semnat.pdf)

<sup>483</sup> [https://www.legis.md/cautare/getResults?doc\\_id=124941&lang=ro](https://www.legis.md/cautare/getResults?doc_id=124941&lang=ro)

of research-testing-experimentation, approval and registration of products for phytosanitary use and fertilizers. The Ministry of Agriculture and Food Industry is the founder of the State Centre.

The procedure for the approval of Plant Protection Products is laid down in the Government Decision No. 1307/2005<sup>484</sup> on the approval of the Regulation on the State certification and approval of plant protection products and fertilizers for use in agriculture and forestry. The Regulation partially transposes Directive 91/414/EEC of 15 July 1991 concerning the placing of phytopharmaceutical products on the market. The Regulation lays down the procedure for the attestation and state homologation of plant protection products and fertilizers. The Registration in the State Register of plant protection products and fertilizers<sup>485</sup> permitted for use in the Republic of Moldova and issuance of the certificate of homologation.

The procedure for approval of plant protection products, fertilizers, as well as fertilizers marked "EC fertilizer" through the procedure for recognition of authorizations issued by a Member State of the European Union was developed and approved by Government Decision No. 710/2015 on modification of on the approval of the Regulation on the State certification and approval of plant protection products and fertilizers for use in agriculture and forestry<sup>486</sup>.

The recognition procedure consists of the recognition and use of assessments carried out by one of the Member States of the European Union on the product containing indices identical to the indices of the product submitted for approval in the Republic of Moldova, provided that:

- the product contains an active substance approved according to European requirements;
- the authorization is issued in accordance with the uniform principles for evaluation and authorization of plant protection products of the European Union.

The applicant for homologation of plant protection products under the recognition procedure may be the authorization holder, who shall submit:

- the application, in accordance with the standard form;
- a certified copy of the authorization issued by one of the Member States of the European Union and a certified translation of the authorization into Romanian;
- the draft label for the product proposed for approval in Romanian, and a copy of the original label, translated into Romanian;

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<sup>484</sup> [https://www.legis.md/cautare/getResults?doc\\_id=125303&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=125303&lang=ro#)

<sup>485</sup> <http://www.pesticide.md/registrul-de-stat/>

<sup>486</sup> [https://www.legis.md/cautare/getResults?doc\\_id=88629&lang=ro](https://www.legis.md/cautare/getResults?doc_id=88629&lang=ro)

- a self- declaration, in Romanian, confirming that the product applied for homologation through the recognition procedure is the same as the one authorized in one of the Member States of the European Union;
- the assessment report of the Member State of the European Union, which will contain information on the evaluation and reference decisions on the plant protection product, including information on the risk assessment for operators, workers and consumers.

According to the provisions of the Law on chemicals No. 277/2018<sup>487</sup> after the establishment of the Chemicals Agency<sup>488</sup>, plant protection products and fertilizers will be registered and authorized through the Government Decision No. 535/2020<sup>489</sup> for the approval of the Automatic Information System “Registry of chemicals placed on the market of the Republic of Moldova”.

### *Registration/authorization of biocides*

National Public Health Agency, National Food Safety Agency and National Agency for Regulation of Nuclear, Radiological and Chemical Activities are competent authorities for the evaluation and surveillance of biocidal products, before and after their placing on the market, according to Government Decision No. 344/2020 for the approval of the Regulation on the making available on the market and use of biocidal products<sup>490</sup>.

*National Public Health Agency* is responsible for:

- evaluation of the dossiers of biocidal products and treated articles
- ensuring the appropriate qualification and experience of the members of the Commission for the Registration of Biocidal Products, the experts and staff of the Technical Secretariat in order to be able to effectively and correctly fulfill the obligations set out in the Regulation No. 344/2020.
- issuing orders for the placing on the market of biocidal products and treated articles
- issuance of the registration certificate for the making available on the market of a biocidal product / treated article
- maintaining, jointly with Agency and National Agency for Regulation of Nuclear, Radiological and Chemical Activities, the National Register of Biocidal Products;
- surveillance, making available on the market and use of treated articles and biocidal products for product types 1, 2, 4 - disinfectants for food contact surfaces, 5, 6, 9, 11, 12, 14 - rodenticides nonagricultural, 18 - insecticides, acaricides and products for the control of other nonagricultural arthropods, 19 - repellents and nonagricultural baits, 21,

<sup>487</sup> [https://www.legis.md/cautare/getResults?doc\\_id=112668&lang=ro](https://www.legis.md/cautare/getResults?doc_id=112668&lang=ro)

<sup>488</sup> [https://cancelaria.gov.md/sites/default/files/document/attachments/proiectul\\_648\\_0.pdf](https://cancelaria.gov.md/sites/default/files/document/attachments/proiectul_648_0.pdf)

<sup>489</sup> [https://www.legis.md/cautare/getResults?doc\\_id=122470&lang=ro](https://www.legis.md/cautare/getResults?doc_id=122470&lang=ro)

<sup>490</sup> [https://www.legis.md/cautare/getResults?doc\\_id=122109&lang=ro](https://www.legis.md/cautare/getResults?doc_id=122109&lang=ro)

provided in annex no.1, under the provisions of Law No. 131/2012 on state control over entrepreneurial activity.

The regulation provides for a recognition procedure for recognition of the certificate of registration issued by one of the Member States of the European Union. So, the biocidal products registered in one of the Member States may be authorized, if the applicant confirms the approval and / or authorization of the biocidal product for the types of uses requested in one of the Member States, according to art. 23 of Law No. 277/2018 on chemicals. The applicant who intends to place the biocidal product on the market shall submit the application for registration, together with the other information, to demonstrate that the biocidal product is identical to the reference product. A biocidal product is considered to be identical to the reference product under the following conditions:

- it was produced by the same company, an affiliated company or under a license of the same manufacturing process;
- is identical in specifications and content in terms of active substances and type of formulation;
- is identical in terms of inactive substances present;
- have the same or equivalent packaging dimensions, materials or shapes in terms of the potentially negative impact on the safety of the product on human and animal health or environment.

When the National Public Health Agency establishes that a biocidal product is identical to the reference product, it shall grant the Certificate of Registration under the terms of this Regulation.

According to the provisions of the Law on chemicals No. 277/2018<sup>491</sup> after the establishment of the Chemicals Agency<sup>492</sup>, biocides will be registered and authorized through the Government Decision No. 535/2020<sup>493</sup> for the approval of the Automatic Information System “Registry of chemicals placed on the market of the Republic of Moldova”.

**77. Are there any legal provisions to prohibit and control the export and import of certain hazardous and/or banned chemicals, including pesticides? Are they aligned with the Rotterdam Convention and the EU Prior Informed Consent (PIC) Regulation?**

The Regulation on export and import of hazardous chemicals approved by Government Decision No. 505/2020<sup>494</sup> transposes the Regulation (EU) No.

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<sup>491</sup> [https://www.legis.md/cautare/getResults?doc\\_id=112668&lang=ro](https://www.legis.md/cautare/getResults?doc_id=112668&lang=ro)

<sup>492</sup> [https://cancelaria.gov.md/sites/default/files/document/attachments/proiectul\\_648\\_0.pdf](https://cancelaria.gov.md/sites/default/files/document/attachments/proiectul_648_0.pdf)

<sup>493</sup> [https://www.legis.md/cautare/getResults?doc\\_id=122470&lang=ro](https://www.legis.md/cautare/getResults?doc_id=122470&lang=ro)

<sup>494</sup> [https://www.legis.md/cautare/getResults?doc\\_id=122468&lang=ro](https://www.legis.md/cautare/getResults?doc_id=122468&lang=ro)

649/2012 of the European Parliament and of the Council concerning the export and import of hazardous chemicals. The objectives of this Regulation are to:

- implement the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade
- promote shared responsibility and cooperative efforts in the international movement of hazardous chemicals in order to protect human health and the environment from potential harm;
- contribute to the environmentally sound use of hazardous chemicals.

This Regulation shall ensure compliance with the provisions of national legislation concerning the classification, labelling and packaging of chemicals hazardous to humans and/or the environment when they are exported and imported, unless such provisions conflict with any specific requirements of those Parties or countries.

**78. Are there legal provisions in place for the protection of laboratory animals as well as alternative test methods?**

The following legal documents regulate the protection of laboratory animals as well as alternative test methods:

- Law No. 211/2017 on the protection of animals used for experimental or other scientific purposes<sup>495</sup> ;
- Government Decision No. 318/2019 on the approval of the Regulation on the organization and functioning of the National Ethics Committee for the protection of animals used for experimental or other scientific purposes<sup>496</sup>.
- Order of the National Agency for Food Safety No. 91/2022 on the establishment of the National Ethics Committee for the protection of animals used for experimental or other scientific purposes<sup>497</sup>.
- Law No. 211/2017 on the protection of animals used for experimental or other scientific purposes set up requirements for breeders, suppliers and animal users used in experiments or for other scientific purposes. Thus, breeders, suppliers and users of animals used for experimental or other scientific purposes shall be authorized and registered by the National Agency for Food Safety in accordance with Art. 18 of Law No. 221/2007 regarding the sanitary-veterinary activity.

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<sup>495</sup> [https://www.legis.md/cautare/getResults?doc\\_id=105612&lang=ro](https://www.legis.md/cautare/getResults?doc_id=105612&lang=ro)

<sup>496</sup> [https://www.legis.md/cautare/getResults?doc\\_id=115171&lang=ro](https://www.legis.md/cautare/getResults?doc_id=115171&lang=ro)

<sup>497</sup> <https://www.ansa.gov.md/uploads/files/Ordinele%20ANSA/2022/Ordin%20%E2%84%96%2091.pdf>

**79. Are there legal provisions in place regarding exports and safe storage of mercury and certain mercury compounds and mixtures?**

Being a party to the UNECE Protocol on Heavy Metals, Republic of Moldova ratified the Minamata Convention on Mercury by Law no. 51/2017<sup>498</sup>.

The country of Moldova does not produce mercury and mercury compounds and has no natural resources to develop gold mining scale. The import of mercury containing products (only excepted products are allowed) is banned from 2020 onwards, in accordance with provisions of Minamata Convention.

The main legal provisions regarding the mercury and mercury waste are included in Article 58. Mercury Waste of Law No. 209/2016 on waste.

- Point (2) of Art. 58 refers to mercury waste management, including the export, that must be done in compliance with the provisions of Law on Waste as well as provisions of the Basel Convention on the Control of Transboundary Transports of Hazardous Wastes and Their Disposal, to which the Republic of Moldova has acceded by Parliament Decision no. 1599-XIII of March 10, 1998, and of the guidance documents adopted within it.
- point (5) of Art 58 includes the obligations of the producers of mercury waste and the enterprises that manage mercury waste, regarding the need to ensure their *packaging and labeling* according to the provisions of art. 22 and requirements for classification, labeling and packaging of substances and mixtures.
- Point (7) of Art. 58 includes provisions regarding mercury storage, including metallic mercury waste, that shall be carried out in accordance with the management requirements and specific storage criteria

The inventory of mercury releases for reference didn't reveal major contaminated sites that could be identified as mercury hot-spots in the country.

In 2021, the Ministry of Environment elaborated "Guidance to ecological management waste containing mercury", that integrated the provisions of the Basel Convention Technical guidelines for the environmentally sound management of wastes consisting of elemental mercury and wastes containing or contaminated with mercury.

The Law on Waste No. 209 of 29.07.2016 (Art 34 par 3, lit i)) provides the legal mandate to develop the National Program for Waste Management that will include actions for the management of contaminated sites. The draft National Program for Waste Management is under development currently, it should be approved by the end in 2022.

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<sup>498</sup> [https://www.legis.md/cautare/getResults?doc\\_id=105679&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=105679&lang=ro#)



**80. How is the issue of mercury pollution dealt with and controlled by public authorities?**

Following the analysis of the institutional framework for managing mercury identified that at national level the most relevant action refers to establishing of the Chemicals Agency as public authority subordinated to the Ministry of Environment, responsible for implementing policies on integrated management of chemicals. This agency will have the role to implement state policy in the area of chemicals' integrated management, ensuring the efficient daily operation and the necessary administrative conditions for supporting the government, industry, and the general public for the efficient and safe management of chemicals imported in different economic sectors of the Republic of Moldova. The Agency will operate as the main competent authority for authorizing the activities related to the market placement of new chemicals in the Republic of Moldova. It will manage the Chemicals' Register and will exercise the role of the national authority appointed for the Rotterdam Convention and for enforcement of the PIC procedure.

The Environmental Agency is responsible for the environmental authorization of economic actors, whereas the Environmental Protection Inspectorate is undertaking the control of compliance of implementation of environmental legislation.

The Environmental Reference Laboratory of the Environment Agency is responsible for monitoring the quality of environmental components (surface water, wastewater, air, soil, aquatic alluvium, atmospheric precipitation, the level of the ambient dose of gamma radiation, etc.), based on an extensive monitoring network located throughout the Republic of Moldova.

**The Water Quality Laboratory** of Environmental Reference Laboratory fulfills the role of national laboratory for water and performs systematic observations on surface water quality in over 50 monitoring sections, located on 16 large and small rivers, 6 reservoirs and 2 natural lakes, where they are analyzed more than 70 hydrochemical parameters (including mercury) and 6 groups of hydrobiological elements thus implementing the European directives: DCA 60/2000 and Directive 2013/39 / EU.

**H. Noise**

**81. Do the authorities periodically assess noise over the major road and railway network, in large industrial plans, in airports and in agglomerations?**

The Regulation on Establishment of rules and procedures for the introduction of operating restrictions related to noise at airports in the Republic of Moldova in a

balanced approach was approved by Government Decision No.246/2019<sup>499</sup>. The National Regulation has transposed the Regulation No. 598/2014 of the European Parliament and of the Council from 16 April 2014, laying down rules and procedures for the introduction of noise-related operating restrictions at Union airports in a balanced approach and the Directive 2006/93 / EC of the European Parliament and of the Council from 12 December 2006 on the Regulation of the operation of airplanes, falling under Part II, Chapter 3, Volume1 of Annex 16 to the Convention on International Civil Aviation, Second Edition (1988). Annex 1 to the Regulation sets out the rules and procedures for introducing noise-related operating restrictions at Moldovan airports in a balanced approach.

The Civil Aviation Authority ensures that the noise situation at each airport is regularly assessed following the legislation on environmental noise assessment and management and the relevant legislation applicable in the Republic of Moldova. The assessment of noise in the airport proximity is applicable for airports with over 50.000 movements per year. According to the statistics, until the pandemic situation, there were about 35.000 movements per year on the largest international airport – Chisinau International Airport. Currently, due to the pandemic consequences and war in Ukraine, the number of movements was dramatically reduced.

Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002 relating to the assessment and management of environmental noise is not yet transposed into the national legislation due to the recent reorganization of the public administration. The process of transposition was initiated and is led by the Ministry of Infrastructure and Regional Development, according to the commitments arising from the EU-Moldova common aviation area agreement.

However, the Parliament approved Code No. 19/2022 of rail transport<sup>500</sup>. This Code transposes into national law:

- Directive 2012/34 / EU of the European Parliament and of the Council of 21 November 2012 establishing a single European railway area;
- Directive 2016/798 / EU of the European Parliament and of the Council of 11 May 2016 on railway safety;
- Directive 2007/59 / EC of the European Parliament and of the Council of 23 October 2007 on the certification of train drivers operating locomotives and trains on the railway system in the Community.

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<sup>499</sup> [https://www.legis.md/cautare/getResults?doc\\_id=114055&lang=ro](https://www.legis.md/cautare/getResults?doc_id=114055&lang=ro)

<sup>500</sup> [https://www.legis.md/cautare/getResults?doc\\_id=129130&lang=ro](https://www.legis.md/cautare/getResults?doc_id=129130&lang=ro)

The Road Transport Code No. 150/2014<sup>501</sup>, Art. 126. - (1). The authorization for carrying out the activity of periodic technical inspection is granted to the enterprises that cumulatively meet the conditions:

The condition regarding the technical-material basis is considered fulfilled if the enterprise proves that it has in exclusive and permanent use, in property or lease, adequate spaces, which allow free access of road vehicles to the inspection stands, as well as disposes, with right ownership, financial leasing or lease, of the following technical arrangements and equipment: noise level assessment device (except for stations authorized for periodic technical inspection of road vehicles with a total authorized mass of up to and including 3.5 tons).

**82. Is there a general noise abatement act or policy? What are the main features of the noise control policy (emission standards, planning standards)?**

The legal framework for environmental noise abatement is regulated by the following normative acts in the Republic of Moldova:

- Government Decision No.181/2019 for the approval of the Health Regulation on the permissible noise and vibration emission standards upon conducting indoor trade activities.<sup>502</sup> The goal of the Regulation is to ensure safe living conditions for the population when business units conduct indoor trade activities within apartment blocks and public buildings attached to them and when business units are located inside urban and rural residential zones. Thus, the Regulation lays down the parameters and noise and vibration measurement units, along with the standards for the noise and vibration level investigation and measurement.
- Construction norms NCM E.04.02:2014 Protection against noise, approved by the Ministry of Regional Development and Constructions by Order No.199/2014<sup>503</sup>, applicable as of 1 June 2015. The updated version of the normative act focuses on the enhanced protection of buildings, constructions, and premises against noise, as well as on the alignment with the European and national standards, and ISO directives. Additional norms for premises were introduced, which were missing previously (e.g., the walls between dwelling areas and shops, etc.). A substantial amendment refers to shock isolation in case of displacement of noise source on the floor of the room underneath the protected room.
- Moldovan standard SM ISO 1996-1:2020 Acoustics. Environmental noise description, measurement, and evaluation. Part 1: Fundamental measures and assessment methods, approved by the Decision of the Institute for Standardisation of the Republic of Moldova No.137/2020<sup>504</sup>.

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<sup>501</sup> [https://www.legis.md/cautare/getResults?doc\\_id=129962&lang=ro](https://www.legis.md/cautare/getResults?doc_id=129962&lang=ro)

<sup>502</sup> [https://www.legis.md/cautare/getResults?doc\\_id=113062&lang=ro](https://www.legis.md/cautare/getResults?doc_id=113062&lang=ro)

<sup>503</sup> [https://www.legis.md/cautare/getResults?doc\\_id=78638&lang=ro](https://www.legis.md/cautare/getResults?doc_id=78638&lang=ro)

<sup>504</sup> <http://standard.md/public/files/Hot137-adoptarebc290.pdf>

- Moldovan standard SM ISO 1996-2:2020 Acoustics. Environmental noise description, measurement, and evaluation. Part 2: Determination of sound pressure levels, approved by the Decision of the Institute for Standardisation of the Republic of Moldova no.137/2020.

The Law No. 721/1996<sup>505</sup> regarding the quality in constructions provides in art. 6 for the essential requirements that are mandatory to be observed in the construction process, namely the requirement F - protection against noise.

The normative document *NCM E.04.02: 2014 (MCH 22.05-2014) Noise protection*, approved and implemented by order of the Ministry of Regional Development and Construction No. 199 from December 29, 2014, aims at increasing the protection of buildings, constructions and rooms against noise, as well as harmonization with European, and international standards.

The above-mentioned normative document is harmonized with the international standards ISO 717 (parts 1, 2 and 3) "Acoustics. Evaluation of sound insulation in rooms", ISO 140 "Acoustics. Sound insulation measurements in buildings" and others.

The main features of the standard are:

- the priority of the provisions regarding the assurance of the safe and harmless operation of the buildings and the equipment in the conditions of protection against noise pollution;
- calculation methods regarding the design of sound insulation of the closing elements for residential and public buildings;
- expanding the possibilities of applying modern technologies, new materials and equipment for the construction of new ones, reconstruction and extension of existing buildings;
- harmonization with international normative documents.
- The mentioned normative document establishes the mandatory conditions, which must be fulfilled in the design, construction and operation of production, residential and public buildings, in the systematization and construction of urban and rural localities, in order to protect these buildings against noise and ensure the normative parameters of their acoustic environment, on adjacent territories and in recreation areas.

## I. Civil protection

### 83. What is the general approach and organisation as regards civil protection?

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<sup>505</sup> [https://www.legis.md/cautare/getResults?doc\\_id=120454&lang=ro](https://www.legis.md/cautare/getResults?doc_id=120454&lang=ro)

The Civil Protection of the Republic of Moldova according to the Law No. 271/1996<sup>506</sup> is a system of measures and actions undertaken throughout the state during peacetime and war, to ensure the protection of the population, property in conditions of natural and ecological calamities, emergencies and catastrophes, epiphytes, epizootics, fires, as well as in case of the application of modern means of destruction (hereinafter referred to as emergency conditions). Its main objective is to protect population and property, ensure response activities and execute preparedness activities.

Civil protection system is organized on a territorial principle, and it is an integral part of functioning of any government or private organization, the responsibilities for incorporating of civil protection are with the heads of the organizations. The General Inspectorate for Emergency Situations (GIES) of the Ministry of Internal Affairs is the central specialized body of the public administration in the field of civil protection. The main responsibilities of the GIES are as follows:

- the protection of the population and of the property in the conditions of emergency situations.
- the execution of rescue works and other non-deferred works in the conditions of emergency situations and in the liquidation of their effects.
- the organization of the preliminary and multilateral preparation of the population, of the objectives of the national economy, of the Civil Protection forces for the development of the actions in case of the danger of the emergency situations and in their conditions.

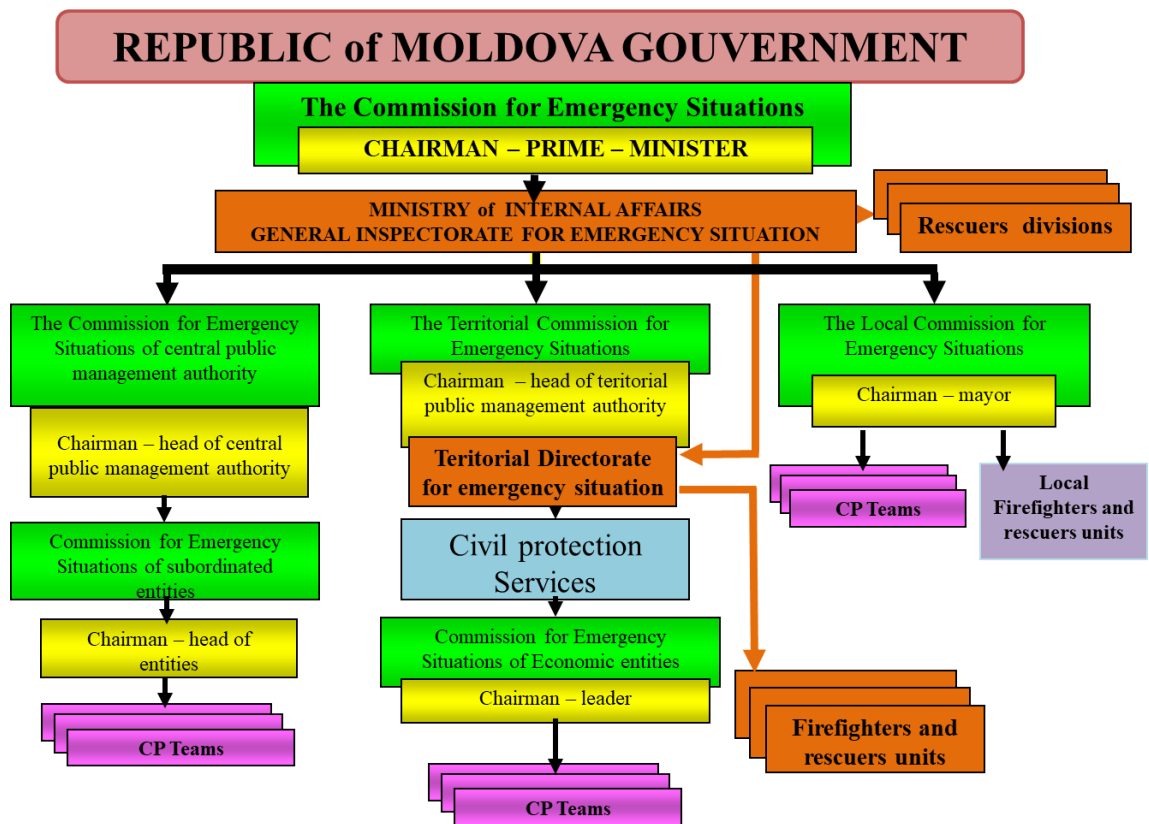
Civil protection system includes the management and administration bodies, the National Network for Observation and Control of the Laboratory on the state of the environment and potentially dangerous objects, the interventions forces, and the civil protection training system.

Civil Protection Management lies with the Government, which exercises the management functions through the GIES and other public authorities. Commission for Emergency Situations of the Republic of Moldova is led by the Prime Minister. The Head of the GIES is the Vice President of the Commission and GIES is coordinating the activity of ministries, national authorities, local public authorities and economic units in the field of civil protection. On the level of the other administrative units, the leadership in the Civil Protection is exercised by the heads of the organizations (local public administration, ministries, companies, etc.)

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<sup>506</sup> [https://www.legis.md/cautare/getResults?doc\\_id=111746&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=111746&lang=ro#)

## Organigramme of the Civil Protection system



The Agency for Technical Supervision under the Ministry of Infrastructure and Regional Development is responsible for the supervision in the area of Civil Protection and Fire Protection, this is stipulated in the Government Decision no. 1088/2017<sup>507</sup>. The Law no. 131/2012 on the State Control over entrepreneurial activity<sup>508</sup> includes the provisions of the civil protection, stipulating that the risks of emergencies, possible or existing accidents that can cause the danger to environment, life, health or property can be the cause of initiation of non-planned control of the business entities

**84. What legislative and/or regulatory framework is in place for disaster management and how is the national competent authority for civil protection/disaster management organised?**

Following acts regulate the activities in the area of Civil Protection:

<sup>507</sup> [https://www.legis.md/cautare/getResults?doc\\_id=125202&lang=ro](https://www.legis.md/cautare/getResults?doc_id=125202&lang=ro)

<sup>508</sup> [https://www.legis.md/cautare/getResults?doc\\_id=130023&lang=ro](https://www.legis.md/cautare/getResults?doc_id=130023&lang=ro)

- Law No. 271/1994 on civil protection<sup>509</sup>.
- Law No. 267/1994 on fire protection<sup>510</sup>.
- Law No. 212/2004 on the state of emergency, siege and war<sup>511</sup>.
- Law No. 93/2007 of the General Inspectorate for Emergency Situations<sup>512</sup>.
- The Government Decision No. 1340/2001 "On the Commission for Emergency Situations of the Republic of Moldova"<sup>513</sup>.
- The Government Decision No. 282/2005 for the approval of the Regulation on training in the field of civil protection<sup>514</sup>.
- The Government Decision No. 961 of 21.08.2006 on the approval of the Regulation of the national network of laboratory observation and control on the contamination (pollution) of the environment with radioactive substances, poisonous, highly toxic and biological agents<sup>515</sup>.
- The Government Decision No. 67 of 23.01.2007 regarding the improvement of the fire protection activity<sup>516</sup>.
- The Government Decision No. 1159 of 24.10.2007 regarding the approval of the Technical Regulation "General rules of fire protection in the Republic of Moldova" RT DSE 1.01-2005<sup>517</sup>.
- The Government Decision 1076/2010 "On the classification of emergency situations and the manner of accumulation and presentation of information in the field of protection of the population and territory in case of emergency situations"<sup>518</sup>.
- The Law No. 10 from 03.02.2009<sup>519</sup> on the State Surveillance of the Public Health.
- The Government Decision No. 862/2015 for the approval of the Regulation on the management of the Government emergency funds<sup>520</sup>.
- The Government Decision No. 908/2014 on the regulation of the organization of forces and means of the Civil Protection and Emergency Situations Service subordinated to the Ministry of Internal Affairs<sup>521</sup>.
- The Government Decision No. 408/2017 for the approval of the Framework Regulation on the Host Nation Support in the emergency situations<sup>522</sup>.

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<sup>509</sup> [https://www.legis.md/cautare/getResults?doc\\_id=118980&lang=ro](https://www.legis.md/cautare/getResults?doc_id=118980&lang=ro)

<sup>510</sup> [https://www.legis.md/cautare/getResults?doc\\_id=118965&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=118965&lang=ro#)

<sup>511</sup> [https://www.legis.md/cautare/getResults?doc\\_id=124336&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=124336&lang=ro#)

<sup>512</sup> [https://www.legis.md/cautare/getResults?doc\\_id=120660&lang=ro](https://www.legis.md/cautare/getResults?doc_id=120660&lang=ro)

<sup>513</sup> [https://www.legis.md/cautare/getResults?doc\\_id=130110&lang=ro](https://www.legis.md/cautare/getResults?doc_id=130110&lang=ro)

<sup>514</sup> [https://www.legis.md/cautare/getResults?doc\\_id=123030&lang=ro](https://www.legis.md/cautare/getResults?doc_id=123030&lang=ro)

<sup>515</sup> [https://www.legis.md/cautare/getResults?doc\\_id=103689&lang=ro](https://www.legis.md/cautare/getResults?doc_id=103689&lang=ro)

<sup>516</sup> [https://www.legis.md/cautare/getResults?doc\\_id=48010&lang=ro](https://www.legis.md/cautare/getResults?doc_id=48010&lang=ro)

<sup>517</sup> [https://www.legis.md/cautare/getResults?doc\\_id=69108&lang=ro](https://www.legis.md/cautare/getResults?doc_id=69108&lang=ro)

<sup>518</sup> [https://www.legis.md/cautare/getResults?doc\\_id=66778&lang=ro](https://www.legis.md/cautare/getResults?doc_id=66778&lang=ro)

<sup>519</sup> [https://www.legis.md/cautare/getResults?doc\\_id=106570&lang=ro](https://www.legis.md/cautare/getResults?doc_id=106570&lang=ro)

<sup>520</sup> [https://www.legis.md/cautare/getResults?doc\\_id=90061&lang=ro](https://www.legis.md/cautare/getResults?doc_id=90061&lang=ro)

<sup>521</sup> [https://www.legis.md/cautare/getResults?doc\\_id=18647&lang=ro](https://www.legis.md/cautare/getResults?doc_id=18647&lang=ro)

<sup>522</sup> [https://www.legis.md/cautare/getResults?doc\\_id=118661&lang=ro](https://www.legis.md/cautare/getResults?doc_id=118661&lang=ro)

- The Government Decision No. 803/2018 on the Emergency Management Center of the Commission for Emergency Situations of the Republic of Moldova and the structures for ensuring the activity of other commissions for emergency situations<sup>523</sup>.
- The Government Decision No. 137 of 02.27.2019 on the organization and functioning of the General Inspectorate for Emergency Situations of the Republic of Moldova<sup>524</sup>.

The General Inspectorate for Emergency Situations (\_GIES) of the Ministry of Internal Affairs is the National competent authority for Civil Protection and acts according to the Law No. 93/2007. The central office is located in Chisinau, and the representations are on the level of each district, municipality ATU Gagauzia. GIES performs following tasks:

- overall management of the civil protection system;
- search and rescue activities, provide first aid, and ensure response in case of emergencies;
- organize preparedness activities for various emergencies including fires across all administrative levels and economy units;
- carrying out measures in a state of emergency, siege or war.

The network between GIES and other authorities is established based on the national legislation, having the primary objective to disseminate information, present relevant information for the analyses and decision taken in case of emergencies, for developing prognoses and modeling different scenarios and for participating in the response teams. For example, in case of an emergency with potential risk to the environment the Environmental Agency and Environmental Protection Inspectorate are part of the response team, representatives of the Reference Laboratory are taking soil, air, water or waste samples in case of any potential environmental risks. In case of the fire risks (vegetation or forests) the representatives of the Forest Agency “Moldsilva” are involved in the prevention and response actions. For the flood risk reduction in the process of prevention, monitoring is involved with representatives of the State Hydrometeorological Service and of the Water Agency “Apele Moldovei”. The representatives of the Agency for Geology and Mineral Resources as being responsible for monitoring the landslides and all underground areas are involved in case of emergencies connected with subsoil. The cooperation is developed at national and local level on the same deconcentrated structures.

In the case of health emergencies, the National Extraordinary Public Health Commission (NEPHC) is responsible for an integrated approach, applying prevention and management measures, multisectoral mobilization and coordination of the response. The Commission’s activity is regulated by The Government’s Decision No.820/2009 on the National Extraordinary Public Health

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<sup>523</sup> [https://www.legis.md/cautare/getResults?doc\\_id=108970&lang=ro](https://www.legis.md/cautare/getResults?doc_id=108970&lang=ro)

<sup>524</sup> [https://www.legis.md/cautare/getResults?doc\\_id=113037&lang=ro](https://www.legis.md/cautare/getResults?doc_id=113037&lang=ro)



Commission<sup>525</sup>. The Commission is headed by the Prime Minister and includes representatives from all ministries and departments. It is empowered to adopt decisions on the declaration/cancellation of a public health emergency at the national level, coordination of the activities of the central public administration authorities, legal entities and persons to prevent, mitigate, respond to and eliminate the consequences of public health emergencies.

**85. Does the civil protection organization include a component for international cooperation? What are the national competent civil protection/disaster management authority's capacities in coordination of international assistance (both as receiver and sender) in case of large-scale disasters and what coordination mechanisms are in place? To what type of disaster management outside its borders has the country been involved in the last 5 years?**

Ensuring international cooperation in the Civil Projection is one of the priorities and over the recent decades, a number of agreements were signed in this respect with regional and international partners. The key ones are listed below:

- Agreement between the Government of Romania and the Government of the Republic of Moldova on mutual cooperation and aid in the case of disasters, ratified in Romania by Law No.65/2013, ratified by the Republic of Moldova by Law No. 196 /2012<sup>526</sup>.
- Agreement between the Government of the Republic of Moldova and the Government of Romania on mutual aid for cross-border interventions in the event of medical emergencies, signed in Chisinau on 21 February 2014 and entered into force on 11.02.2015, approved by the Government Decision No. 258/2014<sup>527</sup>.
- Agreement between the Government of the Republic of Moldova and the Cabinet of Ministers of Ukraine on collaboration in the prevention of industrial accidents, catastrophes, natural disasters and liquidation of their consequences, signed on August 4, 1998, Kyiv, Ukraine, approved by the Government Decision No. 975/1998<sup>528</sup>.
- Agreement between the Government of the Republic of Moldova and the Government of the Republic of Bulgaria on cooperation in exceptional situations, signed in Sofia on 19 April 2012, approved by the Government Decision No. 527/2012<sup>529</sup>.
- Agreement between the Government of the Republic of Moldova and the Federal Government of Austria on mutual assistance in the case of natural and technological disasters and collaboration in their prevention, signed

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<sup>525</sup> [https://www.legis.md/cautare/getResults?doc\\_id=110327&lang=ro](https://www.legis.md/cautare/getResults?doc_id=110327&lang=ro)

<sup>526</sup> [https://www.legis.md/cautare/getResults?doc\\_id=4797&lang=ro](https://www.legis.md/cautare/getResults?doc_id=4797&lang=ro)

<sup>527</sup> [https://www.legis.md/cautare/getResults?doc\\_id=18610&lang=ro](https://www.legis.md/cautare/getResults?doc_id=18610&lang=ro)

<sup>528</sup> <https://legislatie.just.ro/Public/DetaliiDocumentAfis/16649>

<sup>529</sup> [https://www.legis.md/cautare/getResults?doc\\_id=11262&lang=ro](https://www.legis.md/cautare/getResults?doc_id=11262&lang=ro)

on 8 October 2012 in Vienna, approved by the Government Decision No. 1017/2012<sup>530</sup>.

- Agreement between the Government of the Republic of Moldova and the Government of the Republic of Belarus on cooperation on the prevention of exceptional situations and the liquidation of their consequences, signed on 20 November 2006, Chisinau, the Republic of Moldova, approved by the Government Decision No. 38 /2007<sup>531</sup>.
- Agreement between the Government of the Republic of Moldova and the Government of the Russian Federation on collaboration in the field of civil protection, prevention of industrial damage, natural disasters and liquidation of their consequences, signed on February 14, 1995, Chisinau, Republic of Moldova, approved by the Parliament's Decision No. /1995<sup>532</sup>.
- Agreement between the Government of the Republic of Moldova and the United Nations on the Emergency Measures of Import, Export and Transit of Humanitarian aid and the wealth of aid staff in the event of calamities and exceptional situations, signed on 17 September 1999, Chisinau, Republic Moldova, endorsed by the Law No. 1085/2000<sup>533</sup>.
- Partial open agreement of the Council of Europe / EUR-OPA Major risks, endorsed by the Parliament's Decision No. 1372/1997<sup>534</sup>.
- Agreement between the Governments of the Member States of the Black Sea Economic Cooperation (CEMN) on the interaction in the aid in exceptional natural and technological situations and the liquidation of their consequences, signed on 15 April 1998, Sochi, the Russian Federation, approved by the Government Decision No. 926/1998.
- Agreement on cooperation in the field of prevention and liquidation of the consequences of exceptional natural and technological situations of the countries of the Commonwealth of Independent States, signed on 22 January 1993, Minsk, the Republic of Belarus, endorsed by the Parliament's Decision No. 30/1998<sup>535</sup>.
- Agreement on the cooperation of the Member States of the Commonwealth of Independent States during the evacuation of their citizens in third countries in the event of exceptional situations, signed on 12 April 1996, Moscow, the Russian Federation, according to the Law No. 1390/2002<sup>536</sup>.
- Agreement on mutual aid in case of accidents and other exceptional situations at the electro-energetic objectives of the Member States of the

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<sup>530</sup> [https://www.legis.md/cautare/getResults?doc\\_id=669&lang=ro](https://www.legis.md/cautare/getResults?doc_id=669&lang=ro)

<sup>531</sup> [https://www.legis.md/cautare/getResults?doc\\_id=23365&lang=ro](https://www.legis.md/cautare/getResults?doc_id=23365&lang=ro)

<sup>532</sup> <http://www.legis.md/cautare/downloadpdf/12321>

<sup>533</sup> <http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=313192&lang=1>

<sup>534</sup> <http://lex.justice.md/viewdoc.php?action=view&view=doc&id=307916&lang=1>

<sup>535</sup> <http://lex.justice.md/viewdoc.php?action=view&view=doc&id=306908&lang=1>

<sup>536</sup> <https://www.legis.md/cautare/downloadpdf/11743>

Commonwealth of Independent States, signed on 30 May 2002, Moscow, the Russian Federation, according to the Law no. 48-XVI of 20.02.2003<sup>537</sup>.

- Agreement on the exchange of information on exceptional natural and technogenic situations, information cooperation in the liquidation of their consequences and aid to the suffered population signed on 18 September 2003, Yalta, the Russian Federation, approved by the Government Decision No. 340 /2004<sup>538</sup>.

The administrative arrangements between the Civil Protection and Emergency Situations Service of the Ministry of Internal Affairs (GIES is the successor of this organization, as per the institutional reform) of the Republic of Moldova and the Directorate-General for Humanitarian Aid and Civil Protection of the European Commission for unlimited time were signed in Brussels, Belgium on 30.05.2012. As a result of this cooperation the GIES staff has participated in more than 20 civil protection courses, observed more than 6 Modex/Full Scale Exercises, participated with teams in 2 exercises. Through the EU funded Programme for the Prevention, Preparedness and Response to Natural and Man-made Disasters in the EaP Countries (PPRD East). As the part of this initiative first steps were taken to endorse host nation support, develop disaster risk assessment, ensure disaster loss data collection, conduct raising awareness activities, staff capacity building (32 persons finished civil protection courses abroad, 1 full scale international field exercise was held in the country with 600 participants).

In the case of Emergency Situation, the Republic of Moldova has in place mechanisms for informing, requesting and providing mutual assistance in the event of an emergency. GIES was designated by the government as a focal point for emergencies. International protocols and standard procedures from EU ERCC, UN OCHA, NATO EADRCC, IAEA MIC were applied for exchanging information and requests or assistance from international organizations, and other states.

Bilateral protocols with Romania regarding SMURD are in place, regularly verified through bilateral exercises and real missions. They allow direct entrance on the territory of Moldova and vice versa during the emergencies. At least one helicopter SMURD mission is registered on a monthly basis.

In order to receive international assistance, Framework Regulation on Host Nation Support (HNS) in Emergency Situations<sup>539</sup> was approved by the Governmental Decision No. 408/2017. It describes the coordination mechanism of international assistance and establishes the responsibilities of all stakeholders. Afterwards, Standard Operating Procedures on HNS have been developed granting an easy entrance/transit of the international intervention teams. In addition to HNS mechanism, the National Emergency Management Centre is established<sup>540</sup>, representing the main inter-ministerial body for emergency coordination. A pool

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<sup>537</sup> <http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=313192&lang=1>

<sup>538</sup> [https://www.legis.md/cautare/getResults?doc\\_id=30188&lang=ro](https://www.legis.md/cautare/getResults?doc_id=30188&lang=ro)

<sup>539</sup> GD nr. 408/2017

<sup>540</sup> GD 803/2018

of civil protection trained experts through the EU Training Programme of the EUCP Mechanism was formed in the responsible body.

During the past years GIES capacities were improved through participation in civil protection exercises, the most important are presented in the table below:

Participating	Hosting
Ukraine - "Transcarpatia-2000", Ujgorod	EADRCC NATO "Codrii – 2011"
RUSSIA "Bogorodsk-2002", Noghinsc	EU MOLDEX – 2017
Romania "Dacia-2003", Pitesti	
Ukraine "Rough and Ready - 2006", Odessa	
Croatia "IDASSA - 2007", Biograd	
Romania – Hungary "EU Huromex - 2008"	
Kazakhstan "Zhetysu 2009"	
Armenia – "Armenia 2010"	
EADRCC NATO Georgia – 2012	
EADRCC NATO Ukraine – 2015	
EADRCC NATO "CRNA GORA - 2016"	
Serbia, „SRBIJA-2018", Mladenovac	
EU MODEX BG 2019	
EADRCC NATO – NORTH MACEDONIA 2021	
EU-CHEM-REACT 2, Lvov, Ukraine	
EU ROMODEX Pitești 2021	

Two Civil Protection Modules are established in the Republic of Moldova. They are not yet certified but have been involved in module exercises in Bulgaria and Romania during the recent years. Bulgaria (2019): Medium urban search and rescue exercise with the deployment of 57 people and 11 vehicles. Romania, (2021): High-capacity pumping exercise with deployment of 36 people with 8 vehicles and 2 moto pumps, selected and prepared for international missions.

The Republic of Moldova for the first-time dispatched teams to Greece (forest fires, 2021), Romania (COVID-19 response), Ukraine (Vinnitsa and Odessa, refugees' crises, 2022).

**86. What are the main natural and human-induced disasters that the country has faced in the last 10 years? How do the competent authorities manage emergency response? Are there emergency response plans on national and sub-national levels in place? Does the country have an early warning system?**

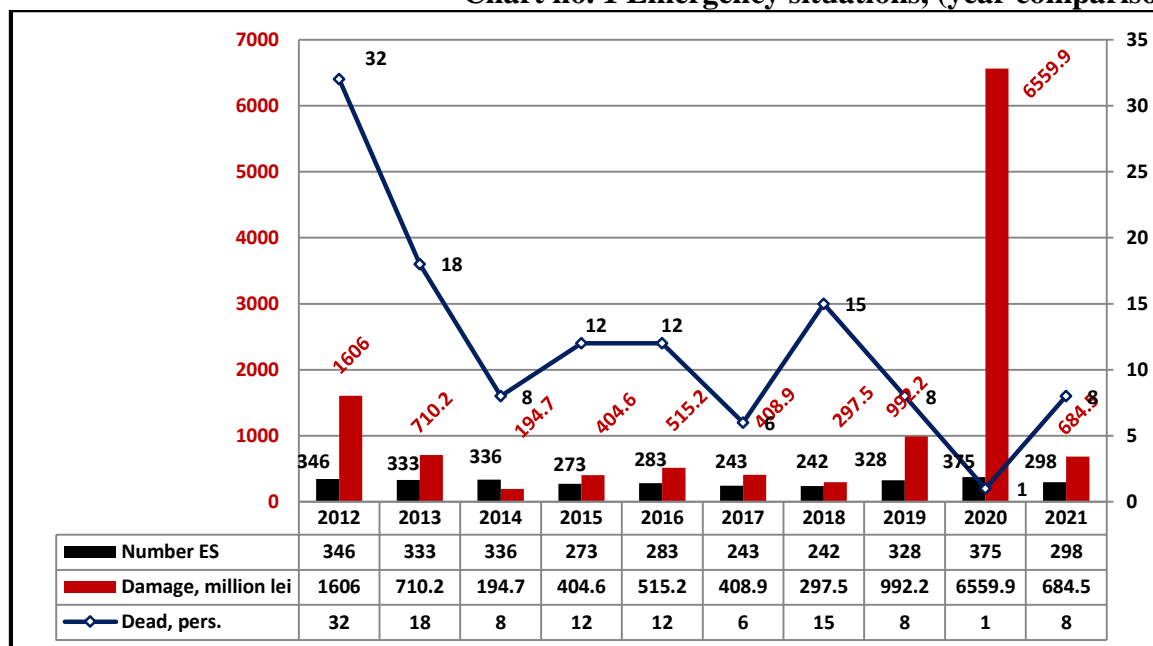
In the Republic of Moldova definition of "emergency situation" that is used in the legislation has been used for events and situations falling under the definition of "disaster", stipulated in the UN official documents.

According to the Government Decision No.1076/2010 “the emergency situation is the situation on a certain territory, as a result of a damage, dangerous natural phenomenon, catastrophes, natural or other calamities, which can cause or have caused human victims, damage to health people or the environment, considerable material losses and have affected the conditions of vital activity of people”<sup>541</sup>. They are classified into three categories:

- Natural emergency situations.
- Man-made emergency situations.
- Biological-social emergency situations.

According to the database of emergencies, being recorded by GIES **3057** emergency situations were registered in the Republic of Moldova during the period 2012-2021. As a result of these emergency situations, **120** people died, **71** people were hospitalized and material damages totaling **12 billion 367 million 612 thousand lei** were registered.

**Chart no. 1 Emergency situations, (year comparison)**



During the period 2012-2021, 1029 natural emergency situations were registered on the territory of the Republic of Moldova, as a result of which 1 person died, 3 injured and total damage of 12 billion 373 million 705 thousand lei were registered.

During the period 2012-2021, extreme weather conditions caused emergencies with the major damage: drought, torrential rains with hail and strong wind, heavy hail, frost, blizzard and heavy snow, strong wind (storm). The top list is presented below:

- Drought - 7 billion 572 million 866 thousand 400 lei.

<sup>541</sup> [https://www.legis.md/cautare/getResults?doc\\_id=66778&lang=ro](https://www.legis.md/cautare/getResults?doc_id=66778&lang=ro)

- Torrential rains with hail and strong wind - 1 billion 132 million 443 thousand 700 lei.
- Hail - 714 million 283 thousand 400 lei.
- Frosts - 431 million 530 thousand 200 lei.
- Blizzard and heavy snow - 189 million 374 thousand 400 lei.
- Strong wind (storms) - 67 million 918 thousand 600 lei.
- Floods - 27 million 986 thousand 700 lei. According to the Fourth National Communication<sup>542</sup>, climate change projections show that the overall *annual runoff* will decrease by 13%, annual flows will become more unstable with more frequent flash floods. Climate change projections indicate *increase of annual average temperature* by 2°C between 2010 and 2040.

During the period 2012-2021-**1952** man-made emergency situations ( (e.g. detection of unexploded ordnance, explosions).

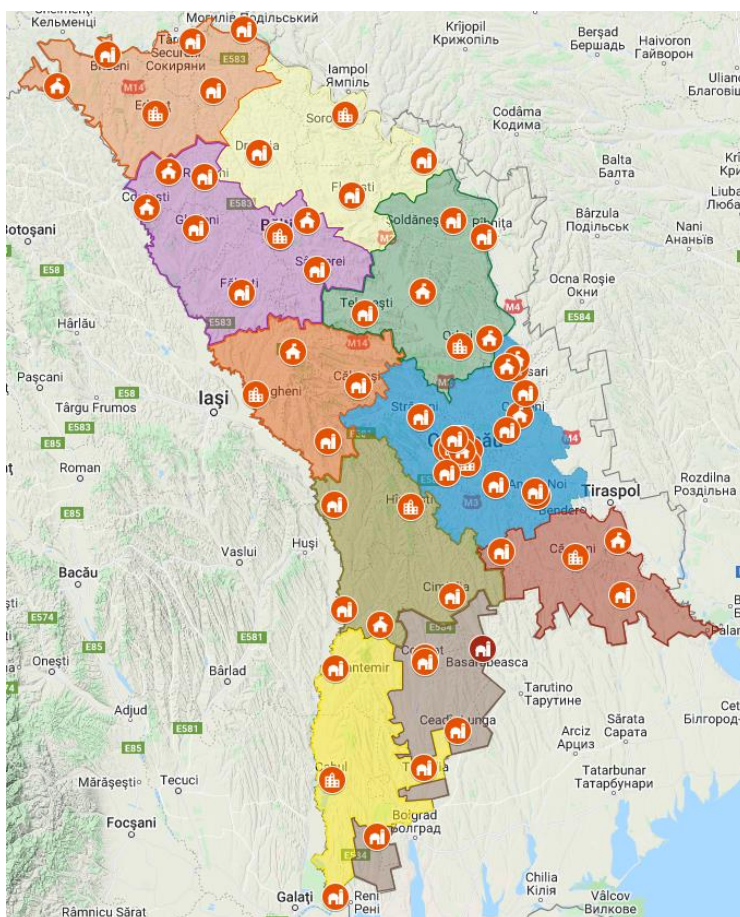
As a result of these emergency situations, **99** people died, including **6** children, **68** people were traumatized and damage **139 million 88 thousand 700 lei** was recorded.

According to the statistical database of the General Inspectorate for Emergency Situations, in the period 2012-2021, **17358** fires were registered in the Republic of Moldova. Fires have caused the major number of deaths, **1122** people died, including **45** children, and **447** people were injured. Fires have caused damage of **645 million 912 thousand 800 lei**. Due to the interventions of fire-fighters, in the same period materials and goods in a total value of **2 billion 711 million 196 thousand 500 lei** were saved. According to the fire statistics, around 74% of fires are happening in the residential sector, and 14% in the transport sector. The most frequent causes of fire are: intentional fires (17%), non-compliance with the fire protection rules (16%)? Short circuit (13%) and smoking (13%).

The civil protection is integrated from the local emergency management commissions, led by mayor, to regional emergency management commissions, led by district chairman to national emergency management commission, headed by the prime minister. The competences are similar, and when the emergency situation escalates, then the situation is overtaken by the superior

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<sup>542</sup> Fourth National Communication of the Republic of Moldova, 2018



body.<sup>543</sup> In order to assure the good organization of the mentioned system, the GIES has emergency management subdivisions in the territory.

112-emergency system is implemented from 2018. GIES is taking over emergency calls, regarding their competencies, dispatch teams located 61 fire and rescue subunits across the country. The number of interventions is gradually growing over the last decades, with the increase of number of interventions (4 times since 2002) and types (from firefighting and extrication missions to medical interventions, search and rescue, rescue from heights and depths, humanitarian aid transportation, rescue of

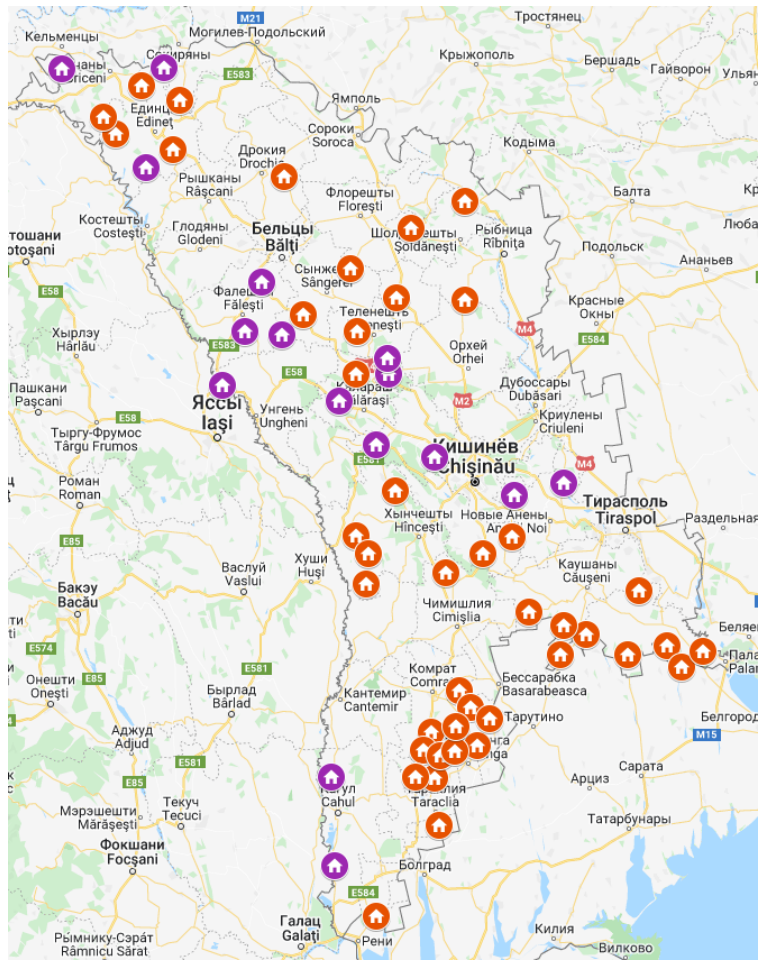
animals etc.). A gradual development of the network and creation of new professional subunits is GIES strategic priority with the objective to reduce the response time. The map above shows the location of the professional fire and rescue subunits are dislocated as follows. The Model Regulation on the organization and functioning of the territorial rescue and fire service (station) was approved by the Governmental Decision No. 595/2018<sup>544</sup>, which stipulates the legal framework; selection and employment criteria; the way regarding the organization and activity of the service; other aspects related to the activity and fulfillment of work obligations by employees, civil service (alternative) executors and volunteers in exceptional situations.

<sup>543</sup> Government Decision no. 1076/2010 "On the classification of exceptional situations and the manner of accumulation and presentation of information in the field of protection of the population and territory in case of exceptional situations" Annex 1, Art. 6.

<sup>544</sup> [https://www.legis.md/cautare/getResults?doc\\_id=108723&lang=ro](https://www.legis.md/cautare/getResults?doc_id=108723&lang=ro)



Improvement of the intervention vehicles is another strategic priority of GIES that will reduce the response time. The car park of the GIES consists of 658 technical units, only 277 are trucks intended exclusively for emergency and exceptional interventions and only 32 of them are less than 8 years old. From the whole car park 48% percent of the GIES's special vehicles are inherited from the former another 36% come from volunteer fire associations donations abroad (being decommissioned equipment), and only 16% are an intervention technique procured by GIES from the money allocated from the state budget. GIES has stipulated modernization of the car park as one of the priorities, that is reflected in the Development Strategy in the Field of Internal Affairs for the years 2022-2030<sup>545</sup>, the Management of the Emergencies Program (2022-2025). Given the limited funds that can be allocated for these purposes in the Mid-term budgetary Framework (2022-2025) the direction remains the priority for the external investments.



Additionally, to the professional fire fighters, 73 local/voluntary fire stations have been formed. A permanent development of the network and creation of new subunits is made by GIES together with local public authorities. The map presents the alternative fire-fighting stations (violet – fully working on a voluntary basis, community fire-fighters work without any payments; orange – being subsidized by the local authorities, community fire-fighters have salary paid by the local authorities).

<sup>545</sup><https://particip.gov.md/ro/document/stages/anunt-cu-privire-la-initierea-procesului-de-elaborare-a-proiectului-hotararii-guvernului-pentru-aprobarea-strategiei-de-dezvoltare-in-domeniul-afacerilor-interne-pentru-anii-2022-2030/8952>



At the national level the National Civil Protection Plan, and National Emergency plan exist. These plans are regularly reviewed and adjusted to the new arising risks, exercises and complex civil protection inspections are carried out.

In accordance with the GIES directives and recommendations two types of documents at the district level are adopted:

- Civil protection plans: include all available resources and actions to be taken in case of long-term emergencies.
- Emergency plans: with indication of forces and means for emergency, which include fire and rescue capacities and actions to be taken in case of short-term emergencies.

In the Republic of Moldova Early Warning System (EWS) was created and operationalized during soviet times. It is an outdated system that cannot be used any more efficiently, so currently the country is looking for the modern solutions for the timely dissemination of the messages to the population that will be covering all hazards and risks. Thus, it is now necessary to create a suitable, sustainable and modern new warning system for the population, which offers a high degree of safety and performance, and which aims at a coverage rate of 100% of the population and to use in this regard all possible media and technologies (radio, TV, electronic sirens, SMS-BC, cell broadcast etc.). There were tentatives to cover local-level EWS areas through European projects. Modern electronic sirens were installed and operationalized in Criva, Drepcăuți, Șirăuți and Lipcani villages (Briceni district) in 2017, in Carpineni village (Hincești district) and Palanca village (Stefan Voda district) in 2015, and in Cornești, Măcărești and partially Ungheni (Ungheni district) in 2021. In case of warnings coming from the responsible organizations (e.g. State Hydrometeorological Service) about the expected events, GIES is responsible for dissemination of information according to existing protocols to the regions, including and public authorities. Emergency information also could be shared by mass media".

An important part of the warning's dissemination is issuing meteorological and hydrological forecasts and warnings on extreme weather phenomena, which is the responsibility of the State Hydrometeorological Service given by the Law on the hydrometeorological activity No.1536/1998. Additionally, the Governmental decision no. 1461 from 30. 12. 2016 states the codes that are used during the winter period while the Meteoalarm codes. State Hydrometeorological Service is a cooperating partner of the EUMETNET<sup>546</sup> mechanism and information from Moldova is sent to the Meteoalarm network<sup>547</sup>. Meteorological observation network of the State Hydrometeorological Service consists of 18 meteorological observing stations, 16 agrometeorological posts and 34 mini AWSs in the observing network of the SHS.

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<sup>546</sup> <https://www.eumetnet.eu/members-partners/>

<sup>547</sup> <https://meteoalarm.org/>

The types of these stations are as follows:

- manual meteorological observing stations (4),
- automatic and manual (mixed) meteorological observing stations (14),
- mini automatic weather stations (34)
- manual agrometeorological posts (16)

Hydrological observation network consists of 52 hydrological stations/posts, managed by the SHS, that are used for water resources assessment, water observation data and flood forecasting.

The automated system for monitoring the gamma ambient dose rate based on 5 “MONA” type automatic stations operates in the Republic of Moldova since 2015. According to Law No. 132/2012<sup>548</sup> on the Safe Conduct of Nuclear and Radiological Activities responsible for monitoring the background contamination with radionuclide is the State Hydrometeorological Service of the Ministry of Environment. The automated system is also interconnected with NARNRA, under the Ministry of Environment<sup>549</sup>. If the ambient dose rate exceeds more than 0.25 micro-Sievert / hour, the information is transmitted to the General Inspectorate for Emergency Situation of the Minister of Interior Affairs.

**87. What are the main risks identified at national and sub-national levels? What is the country’s methodology for developing risk assessments? Has the country a disaster risk reduction strategy in place?**

Several documents and studies have the overview of the major risks affecting the country, that are addressing the situation on the national level. Droughts causing the most considerable property losses are impacting the agricultural sector affecting mostly rural areas, where about 45% of the population use wells as the main source of drinking water. The highest property damages were recorded in 2000 (2 billion 98 million 57.3 thousand lei) and 2007 (1 billion 2 million 90.8 thousand lei). Starting with 2000 and until 2019, this phenomenon happened practically every 2 years and during this period it caused property damages of 3 billion 432 million 414 thousand lei. Floods had a negative impact on the population in the areas where they occurred both with very great property and human lives losses. The risk of flooding comes with the rising Prut River level with 8m and Dniester River – 10 m. Over 40% of the country’s towns and villages are exposed to flooding under conditions of intense rainfall. On small rivers, heavy rains can form a flood within 2-3 hours, with flash floods occurring due to topographic and climatic conditions; almost yearly, heavy rains result in local floods with inundation of agricultural lands and settlements. The other risks are

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<sup>548</sup> [https://www.legis.md/cautare/getResults?doc\\_id=106549&lang=ro](https://www.legis.md/cautare/getResults?doc_id=106549&lang=ro)

<sup>549</sup> <http://93.115.137.52:8082/jsf/pageUser.jsf>

caused by landslides, strong thunderstorms with lightning, heavy snows, strong winds and flash floods.

At national level, there is currently no risk assessment methodology. The European Union-funded Program "Prevention, Preparedness and Response to Natural and Manmade Disasters in Eastern Partnership Countries" PPRD East-3 is working on developing a methodology national disaster risk assessment framework, which will be valid for all project partner countries, including Moldova. For the sub-national level GIES has developed internal methodological guidance "On evaluation and identification of the possible exceptional situations on the level of district, municipality and in the Autonomous Territorial Unit Gagauzia" in 2015. This document describes the steps to be taken by local authorities in identification of possible exceptional situation and their further integration into the emergency planning documents. The process should be done once in each five years or when the other risk appears. It also calls to identify economic, environmental or social impacts.

The National Climate Change Adaptation Program (2023 – 2030), that is under the development is addressing the climate related risks, such as drought, floods and landslides and the relevant actions to prevent those. The National Security Strategy of the Republic of Moldova approved by the Law no. 153/2011<sup>550</sup>, clearly defines the strategic objectives to increase society's resilience to different types of disasters.

**88. Are there specific measures aiming at protecting the environment in the case of a disaster?**

Government Decision No. 961/2006 on the approval of the Regulation of the national laboratory observation and control network over environmental contamination (pollution) with radioactive substances, poisonous, highly toxic and biological agents. The National Laboratory Observation and Control Network (NLOCN) is executing this task. The activity of the NLOCN, in case of exceptional situations or in case of danger of triggering, the Head or vice-head of the Commission for exceptional situations of the Republic of Moldova are entitled to order NLOCN activation. Laboratory observation and control is organized for the timely detection of radioactive, chemical and biological contamination (pollution) of soil, air, water, food raw materials, feed and other environmental objectives, as well as for the timely implementation of appropriate measures. protection of the population, the staff of civil protection teams, animals, plants and water against contamination with radioactive substances, poisonous, highly toxic and biological agents.

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<sup>550</sup> [https://www.legis.md/cautare/getResults?doc\\_id=17629&lang=ro](https://www.legis.md/cautare/getResults?doc_id=17629&lang=ro)

## **89. Are there specific strategies or measures aimed at preventing and combating forest fires and floods?**

The National Security Strategy of the Republic of Moldova approved by Parliament Decision No. 153/2011, clearly defines the strategic objectives to increase society's resilience to different types of disasters. Managing emergencies generated by dangerous hydrometeorological phenomena resulting in floods, hydrological droughts, as well as incidents / accidents in hydrotechnical constructions, accidental pollution of watercourses and marine pollution in the coastal area is an activity of national interest, given the frequency and the extent of the effects of these types of risk. The Government of Moldova developed the policy and legal frame which stipulates the measures and actions for preventions and eliminations of consequences.

The legal base to prevent and combat forest fires and floods is formed by the following acts:

- Code No.887/1996 Forest Code, Article 57. Fighting forest fires<sup>551</sup>
- Code No.218/2008 Contravention Code of the Republic of Moldova<sup>551</sup>
- Water Law No.272/2011<sup>552</sup>. The law regulates inclusively the management and protection of surface and groundwater, including measures to prevent and combat floods, erosion and measures to combat drought and desertification.
- Government Decision No.1030/200 on the approval of the Scheme for the protection of localities in the Republic of Moldova against floods<sup>553</sup>
- Government Decision No.740/2003 for the approval of the normative acts aiming at the management of the forestry household<sup>554</sup> Annex 2 of the decision presents the Regulation fire safety
- Government Decision No.590 /2018 on the approval of the Concept of the reform of the national system management, prevention, and mitigation of floods<sup>555</sup>
- Government Decision No.199/2014 regarding the approval of the Water Supply and Sanitation Strategy (2014 - 2030)<sup>556</sup>

Law No. 1536 /1998 on hydrometeorological activity<sup>557</sup> also acts following the requirements of the Governmental Decision No. 887 /2013 the Regulation on flood risk management stipulates the tasks of State Hydromet Service as follows during floods:

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<sup>551</sup> [https://www.legis.md/cautare/getResults?doc\\_id=130832&lang=ro](https://www.legis.md/cautare/getResults?doc_id=130832&lang=ro)

<sup>552</sup> [https://www.legis.md/cautare/getResults?doc\\_id=111963&lang=ro](https://www.legis.md/cautare/getResults?doc_id=111963&lang=ro)

<sup>553</sup> [https://www.legis.md/cautare/getResults?doc\\_id=46890&lang=ro](https://www.legis.md/cautare/getResults?doc_id=46890&lang=ro)

<sup>554</sup> [https://www.legis.md/cautare/getResults?doc\\_id=29022&lang=ro](https://www.legis.md/cautare/getResults?doc_id=29022&lang=ro)

<sup>555</sup> [https://www.legis.md/cautare/getResults?doc\\_id=29022&lang=ro](https://www.legis.md/cautare/getResults?doc_id=29022&lang=ro)

<sup>556</sup> [https://www.legis.md/cautare/getResults?doc\\_id=49191&lang=ro](https://www.legis.md/cautare/getResults?doc_id=49191&lang=ro)

<sup>557</sup> [https://www.legis.md/cautare/getResults?doc\\_id=129377&lang=ro](https://www.legis.md/cautare/getResults?doc_id=129377&lang=ro)

- real-time data collection, validation, and creation of operational information systems.
- forecasting the evolution of floods along watercourses.
- warning the authorities and the population about the extent, severity, and timing of the floods.

In the context of the implementation of the provisions of the Water Law No. 272/2011, harmonized with Directive 2007/60/EC of 23 October 2007 on the assessment and management of floods, the Government Decision No. 590/2018 on the Concept of reforming the national system for managing, preventing, and reducing the consequences of floods, was approved<sup>558</sup>; in 2020 by the Government Decision No. 562/2020<sup>559</sup>. The Flood Risk Management Plans were approved. Flood risk management plans are developed for each river basin district and provide for a set of measures over a period of 6 years, the implementation of which will help reduce and prevent the risk of flooding, increase the resilience of the population to risk situations, and increasing the institutional capacity of the relevant central public authorities as well as of the local public authorities.

## J. Climate Change

**90. Is there a national climate strategy or policy, addressing both mitigation and adaptation? Define the scope in terms of setting emissions reduction targets, integration of climate action into other policies and consistency with the EU 2030 framework for climate and energy policies and with the EU Climate Law (legally binding climate neutrality target of 2050).**

Adaptation and mitigation aspects of climate change are addressed in two policy documents: the Low Emissions Development Strategy (herein after - LEDS) to 2030<sup>560</sup> and the National Adaptation Strategy<sup>561</sup>. Currently documents are under review, National Program for Low Emissions Development (hereinafter - NPLED)<sup>562</sup> and the National Adaptation Planning Programme<sup>563</sup>. They will cover the period till 2030 (NAP-2) and incorporate country's commitments assumed under the Paris Agreement, formulated in the updated National Determined Contributions (hereinafter - NDC2). The updated NDCs have been submitted to the Secretariat of the UNFCCC, in March 2020<sup>564</sup>. Each program will be

<sup>558</sup> [https://www.legis.md/cautare/getResults?doc\\_id=108719&lang=ro](https://www.legis.md/cautare/getResults?doc_id=108719&lang=ro)

<sup>559</sup> [https://www.legis.md/cautare/getResults?doc\\_id=122775&lang=ro](https://www.legis.md/cautare/getResults?doc_id=122775&lang=ro)

<sup>560</sup> [https://www.legis.md/cautare/getResults?doc\\_id=129232&lang=ro](https://www.legis.md/cautare/getResults?doc_id=129232&lang=ro)

<sup>561</sup> [https://www.legis.md/cautare/getResults?doc\\_id=114739&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=114739&lang=ro#)

<sup>562</sup> <https://www.madrm.gov.md/sites/default/files/Documente%20atasate%20Advance%20Pagines/Conceptul%20Programului%20de%20dezvoltare%20cu%20emisii%20reduse.pdf>

<sup>563</sup> <https://mediu.gov.md/ro/content/anun%C8%9B-privind-ini%C8%9Bierea-elabor%C4%83rii-programului-na%C8%9Bional-de-adaptare-la-schimb%C4%83rile-climatice>

<sup>564</sup> [https://www4.unfccc.int/sites/ndcstaging/PublishedDocuments/Republic%20of%20Moldova%20First/MD\\_Udated NDC final version EN.pdf](https://www4.unfccc.int/sites/ndcstaging/PublishedDocuments/Republic%20of%20Moldova%20First/MD_Udated NDC final version EN.pdf)

accompanied by the Action Plans and expected to be approved by the Government in 2022.

Moldova increased its climate mitigation ambition by indicating NDC2 with unconditional GHG reduction target by 70% below 1990 level in 2030, instead of 64-67% as committed to in 2015. As to the new economy-wide conditional target, instead of 78%, the reduction commitment is up to 88% below 1990 level, provided a global agreement addressing important topics including low-cost financial resources, technology transfer, and technical cooperation, accessible to all at a scale commensurate to the challenge of global climate change, is assured. Thus, Moldova is committed to reducing net GHG emissions in the unconditional scenario from 43.4 Mt CO<sub>2</sub> eq. in 1990 to 12.8 Mt CO<sub>2</sub> eq. in 2030, i.e., 3.4 times less over a period of 40 years.

With regards to the GHG emission reduction process, the main aim of the NPLED 2030 is to mobilize and enable private and public actors to reduce greenhouse gas emissions from economic activities in line with the targets of NDC2. NPLED 2030 sets quantifiable targets for the following sectors: energy – unconditional - 81%, conditional - 87%; transport – unconditional - 52%, conditional - 55%; buildings – unconditional - 74%, conditional - 77%; industry – unconditional - 27%, conditional - 31%; agriculture – unconditional - 44%, conditional - 47%; LULUCF – unconditional - 10%, conditional - 391%; and waste – unconditional - 14%, conditional 18%. The policy presents the current status of each emission sector, highlights the relevant sectoral strategies/programmes, defines general and specific objectives, sets sector specific targets for 2025 and 2030, defines progress indicators, estimates costs, assess risks and includes measures to be implemented. Currently, the draft NPLED 2030 is going through Strategic Environment Assessment, in accordance with requirements of the Law no.11/2017<sup>565</sup> on Strategic Environmental Assessment (SEA) and considering the provisions of the Guideline on conducting SEA.

The national adaptation planning is a process which contributes to the identification of feasible solutions to the problems caused by climate change. It is a, which identifies the needs for at national level and facilitates the coherent integration of adaptation to climate change in relevant strategic documents (strategies, programs, action plans) in all national sectors.

The second cycle of NAP process of the Republic of Moldova is conceptualized as Green Climate Fund Readiness Project and incorporate country's commitments stipulated in NDC2, builds upon the results from the National Adaptation Planning process (2013-2020) and NDC1. Being a continuous planning process, it focuses on identification of the medium- and long-term adaptation priorities on the national level, facilitating the mainstreaming into the key sectors. NAP-2 supports improving the coordination and facilitating the multi-stakeholder dialog. To

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<sup>565</sup> [https://www.legis.md/cautare/getResults?doc\\_id=105551&lang=ro](https://www.legis.md/cautare/getResults?doc_id=105551&lang=ro)

enhance the implementation, process the technologies needs assessment in the key priority sectors (forestry, water, health, energy, agriculture, and transport) are done, and the list of recommendations with a detailed description of technologies will be elaborated. Development of the portal as “one stop shop” with the climate-relevant information, development of the capacities of the State Hydrometeorological Service, mainstreaming climate change adaptation into the local development will be implemented as the priority adaptation measures. Monitoring and evaluation approach developed as a part of the process will give the evidence for the progress, including the financial aspects as a part of the climate budget tagging process and will help to evaluation current adjust the future activities.

The Republic of Moldova supports the implementation of the Clean Energy Package, adopted by the Energy Community's Ministerial Council in November 2021.

The National Energy and Climate Plan, which will establish the targets for energy efficiency and GHG emissions reduction to be achieved by 2030 and a low emission development vision by 2050 the sector, is under development. Transposition of the Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the Governance of the Energy Union and Climate Action is to be started in the year -2022.

**91. How is it ensured that climate change legislation and policies are aligned with EU climate change *acquis* currently in force? What is the state of play as regards mid-century binding low emissions development strategy and integrated National Energy and Climate Plans (NECP)?**

According to the Article No.448 and No. 449 of the Republic of Moldova – European Union Association Agreement, when approximating legislation to the EU climate *acquis* set out in the Association Agreement, Moldova considers the latest version of the EU legal acts.

The National Energy and Climate Plan (NECP) is under development. The document transposes the provisions of the Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the Governance of the Energy Union and Climate Action. The NECP will incorporate the results of the energy sector modeling exercise, carried out with the support of a technical assistance project funded by the EU Delegation in the Republic of Moldova. The objective of the modeling is to determine the level of ambition needed, including economic aspects in order to achieve the state's energy and climate policy objectives. These are energy efficiency; renewable energy sources use and reduction of GHG emissions.

The Energy Community timeline for approving the NECP is the end of 2023, but the Republic of Moldova plans to approve the NECP and present it to the Energy Community Secretariat by the end of 2022. Modeling exercises for the

decarburization dimension of the NECP will allow establishing the GHG emissions reduction targets to support carbon climate neutrality by 2050. The Governance Regulation (EU) 2018/1999 will be transposed into a single legal act. This could be done via a secondary act. The Ministry of Infrastructure and Regional Development, the national focal point, will perform a gap analysis of the existing legislation and share it with the Secretariat of Energy Community to discuss further steps.

**92. What are the country's plans to implement its updated Nationally Determined Contribution?**

At the national level, the implementation of the National Determined Contribution (NDC) is foreseen through the Low Emission Development Strategy until 2030 and its Action Plan (LEDS 2030), which is currently under revision and update process to reflect the higher climate ambition of the NDC2. Activities planned in updated LEDS 2030 will lead to the achievement of unconditional and conditional targets established in the NDC2. Draft updated LEDS 2030 is passing currently through the strategic environmental assessment. Its adoption is planned for December 2022, while implementation of the Strategy will last until the 2030 year.

Implementation of the NDC2 is done also through mainstreaming of the GHG emissions reduction targets into sectoral policies. Essential efforts are being taken to mainstream the climate policy into the energy policy sector (e.g. – Energy Strategy for 2030 (under development), NECP (under development)). These policy documents will address reducing the GHG emissions from the sector which is the biggest emitter GHG in Moldova (energy sector is 66% of total emissions are coming from the energy sector according to the last GHG inventory). The other sector policy documents that are currently in the process of development, such as Draft National Waste Management Program for 2022-2027, Draft National Strategy for Agricultural and Rural Development have actions related to the climate change from mitigation and adaptation aspects.

NDC finance strategy will be developed during 2022-2023 with the support of the EU4Climate project. It will enable the Government to operationalize priority actions identified in the NDC2, enhance the mobilization of funding, including public finance sources, both national and international; ensure private sector participation; and application of innovative financing mechanisms, where carbon finance is a part.

Monitoring Reporting and Verification (MRV) system, which is in place in Moldova since 2018, will be used to track the achievements under the NDC implementation cycle. Inventory reports, Biennial Transparency *Report* (BTRs), and National Communications will be used as instruments that will reflect the progress in achieving the GHG emissions reduction targets assumed by Moldova under the Paris Agreement.



### **93. Describe the state of implementation of the Vienna Convention and the Montreal Protocol for the protection of the ozone layer.**

On July 27, 1996, the Republic of Moldova ratified the Convention for the Protection of the Ozone Layer, signed in Vienna on March 22, 1985, and the Protocol on Substances that Destroy the Ozone Layer, signed in Montreal on September 16, 1987 (Parliament Decision No. 966/1996<sup>566</sup>).

Subsequently, the Republic of Moldova acceded to four amendments to the Montreal Protocol: London (Law No. 111/2001<sup>567</sup>), Copenhagen (Law No. 111/2001<sup>568</sup>), Montreal (Law No. 34/2005<sup>569</sup>) and Beijing (Law No. 119/2006<sup>569</sup>). By ratifying the Convention and the Protocol, the country has undertaken to respect and comply with the provisions and restrictions of these international instruments. Thus, to date, commitments on the decommissioning of CFCs and halons have been made (until 1 January 2010). The phasing out of HCFCs is underway, according to the following schedule:

- Stage I - reduction by 10% of the basic level by the end of 2015.
- Stage II - reduction by 35% of the basic level by 2020.
- Stage III - reduction by 67.5% of the basic level by 2025.
- Stage IV - reduction by 97.5% of the basic level by 2030.
- Stage V - complete elimination of hydrochlorofluorocarbons from consumption by 2040.

According to the Consolidated Report on the level of implementation of the activities set out in the HCFC Phase out Program for 2016-2040, Stage I (reduction by 35% of the basic level by 2020) has been successfully implemented and target achieved.<sup>570</sup> Currently, the implementation of the Stage III is ongoing with the support of the Multilateral fund for implementation of the Montreal Protocol.

In order to implement the provisions of the Convention and the Protocol, the Republic of Moldova has developed the normative framework that regulates the substances that destroy the ozone layer, namely:

- Government Decision No. 1064/1999 on the approval of the National Program for the phased suppression of ozone-depleting substances in the Republic of Moldova<sup>571</sup>;

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<sup>566</sup> [https://www.legis.md/cautare/getResults?doc\\_id=60767&lang=ro](https://www.legis.md/cautare/getResults?doc_id=60767&lang=ro)

<sup>567</sup> [https://www.legis.md/cautare/getResults?doc\\_id=63701&lang=ro](https://www.legis.md/cautare/getResults?doc_id=63701&lang=ro)

<sup>568</sup> [https://www.legis.md/cautare/getResults?doc\\_id=26582&lang=ro](https://www.legis.md/cautare/getResults?doc_id=26582&lang=ro)

<sup>569</sup> [https://www.legis.md/cautare/getResults?doc\\_id=26064&lang=ro](https://www.legis.md/cautare/getResults?doc_id=26064&lang=ro)

<sup>570</sup> <https://mediu.gov.md/sites/default/files/Documente%20atasate%20Advance%20Pagines/Raport%20Program%20suprimare%20esalonata%20HCFC%202016-2020.pdf>

<sup>571</sup> [https://www.legis.md/cautare/getResults?doc\\_id=74855&lang=ro](https://www.legis.md/cautare/getResults?doc_id=74855&lang=ro)

- Government Decision No. 856/2016 on the approval of the Program on phase out of halogenated hydrochlorofluorocarbons for the years 2016-2040 and of the action plans for its implementation<sup>572</sup>;
- Government Decision No. 1242/2016 for the approval of the Regulation on measures to reduce emissions from air conditioning systems of motor vehicles<sup>573</sup>;
- Government Decision No. 589/2018 for the approval of the Regulation on the establishment of the mechanism for allocating the annual quotas for the import of halogenated hydrochlorofluorocarbons<sup>574</sup>;
- Government Decision No. 483/2019 for the approval of the Regulation on the training and certification of specialists in the field of refrigeration technology containing hydrochlorofluorocarbons and fluorinated greenhouse gases.<sup>575</sup>

**94. Has Moldova undertaken measures to align with the EU acquis covering GHG emission reductions, especially the Emission Trading System (EU ETS)?**

The transposition of the Directive 2003/87/EC establishing a scheme for greenhouse gas emission (GHG) allowance trading within the Community is in process. Currently the draft Regulation on monitoring, reporting, and verification of GES from stationary installations is under development<sup>576</sup>. According to the Annex XII of the Association Agreement RM-EU, the Government of the Republic of Moldova has undertaken to transpose provisions of the Directive 2003/87, namely:

- establishing a system for identifying relevant installations and for identifying greenhouse gases (Annexes I and II);
- setting up monitoring, reporting, verification and enforcement system and a public consultations process (Articles 9, 14-17, 19 and 21).

The draft Regulation is planned to be approved by the end of 2022. According to an assessment process, 12 installations may fall under these new legislative requirements related to EU ETS.

<sup>572</sup> [https://www.legis.md/cautare/getResults?doc\\_id=114841&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=114841&lang=ro#)

<sup>573</sup> [https://www.legis.md/cautare/getResults?doc\\_id=114298&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=114298&lang=ro#)

<sup>574</sup> [https://www.legis.md/cautare/getResults?doc\\_id=108718&lang=ro](https://www.legis.md/cautare/getResults?doc_id=108718&lang=ro)

<sup>575</sup> [https://www.legis.md/cautare/getResults?doc\\_id=118488&lang=ro](https://www.legis.md/cautare/getResults?doc_id=118488&lang=ro)

<sup>576</sup> <https://mediu.gov.md/ro/content/anun%C8%9B-cu-privire-la-ini%C8%9Bierea-elabor%C4%83rii-proiectului-regulamentului-privind-monitorizarea>

**95. Which measures has [the country] undertaken to limit emissions from non-ETS sectors: in particular transport, agriculture, built in environment, land use and land use change sectors?**

The updated LEDS will include the specific contributions of all non-ETS sectors: transport, agriculture, land use and land use change sectors.

*The following measures are implemented in the transport sector that contribute to the low emissions development consists of:*

- encouraging the use of environmentally friendly means of transport and promoting public transport, as well as zero-emission modes of transport (cycling, walking);
- replacement of traditional fuels (petrol and diesel) with compressed natural gas and liquefied petroleum and, at the same time, the dilution of traditional fuels with bio-fuels;
- increasing the efficiency of car fuel burning by limiting the age of imported vehicles;
- the development and implementation of national environmental standards and norms in accordance with EU standards, in order to reduce emissions, including those from the transport sector;
- implementation of Directive 2009/33/EC on the promotion of clean and energy efficient road transport vehicles, as well as Directive 94/63 / EC on the control of emissions of volatile organic compounds.

*The contribution of the agriculture sector to low emissions development are summarized* in the specific objectives of the Environmental Strategy for 2014-2023 and the Action Plan for its implementation. The document integrates the principles of environmental protection, sustainable development and green economic development, adaptation to climate change in all sectors of the national economy, thus ensuring the rational use, protection and conservation of natural resources and creating an integrated air quality management system. The stated objective is to reduce by 30% the emissions of pollutants into the atmosphere by 2023 and by at least 20% of greenhouse gases by 2020, compared to the baseline scenario. In this regard, the following measures are foreseen: (1) the improvement of soil quality and the ecological reconstruction of degraded lands, affected by landslides, (2) reconstruction of the protection strips of agricultural lands, in the proportion of 100%, as well as (3) the sustainable management and protection of useful mineral resources. According to the Low Emissions Development Strategy the target for 2020 in Agriculture was 2613 kt CO<sub>2</sub>-e, and emissions in 2020 were 1929 kt CO<sub>2</sub>-e, the achievement of the reduction of 26%

The Environmental Strategy will incorporate the objectives reflected in theNDC2, the EU Green Deal, and actions for integrated climate policy.

An important condition for moving to sustainable agriculture is to reduce the number of tillage works by implementing conservative "mini-till" and "no-till"

tillage systems. According to the Reports on the implementation of the National Strategy for Agricultural and Rural Development for the years 2014-2020, developed by the Ministry of Agriculture, Regional Development and Environment, the surface of agricultural land cultivated under no-till / mini-till technology, varied between 51.0 - 133 thousand ha per year between 2013 and 2019, largely due to subsidies allocated to agricultural machinery purchased by farmers through the investment projects IFAD-V, IFAD-VI, MAC-P and 2KR.

As a result of Government Decision No. 455/2017 on how to distribute the funds of the National Fund for the of Agriculture and Rural Environment Development (FNDAMR), for subsidizing agricultural machinery and equipment, including mini-till and no-till, 2246 applications for financial support were submitted in 2019. The amount of the requested subsidy was 245.8 million MDL, which constitutes 20.8% of the amount of the requested subsidies.

The Land Improvement Program is aimed to ensure the sustainable management of soil resources for the years 2021-2025 and the Action Plan on its implementation for the years 2021-2023. The document was approved by the Government on 9 December 2020 and developed in order to implement the prevention and to stop soil degradation, as well as to increase their fertility. The program will be divided into two implementation stages, two and three years respectively. The document foresees wide implementation of environmentally friendly agricultural practices, that will allow to obtain the expected harvests by applying methods to increase soil fertility, such as soil conservation methods, crops rotation, rational structure of agricultural crops, complex fertilization with organic and mineral fertilizers, implementation of hydro-improvement arrangements, etc.

The estimated implementation cost for the period 2021-2025 is 4.278 billion lei, including 59.626 million lei from the state budget, and 4.219 billion lei from external sources.

*The contribution of the Land use, land use change and forestry (LULUCF) Sector to low-emission development* to the reduction of carbon emissions consists of their sequestration by vegetation, as well as by replacing fossil fuels with the wood mass produced. The existing policies in the forestry sector include provisions that directly or indirectly affect the sector's ability to increase its carbon sequestration capacity. The emphasis is on expanding forest areas, conserving biological diversity, strengthening institutional and human capacity, international cooperation, etc. Within the "LULUCF" sector, in 1990 the grasslands had a share of 26.6% in the process of CO<sub>2</sub> sequestration. In 2019, the share of meadows in this process decreased to 11.8%, remaining an important source in the total balance recorded in this sector.

In accordance with Art. 78 and 80 of the Forestry Code No. 887/1996, it is forbidden to fragment and reduce the areas of the forest fund and the areas outside it, covered with forest vegetation, except for special cases. The Law no. 1041/2000

for the improvement of degraded lands by afforestation regulates the aspects of allocation and afforestation of degraded lands. The financing of afforestation and planting works (design, planting and maintenance of new forests and forest protection curtains until the state of the massif) must be made from funds intended to improve the condition of degraded land, state budget allocations, national and local ecological fund, external financing, sponsorships, etc. The central public authority will provide the owners of these lands with forest reproductive material and will carry out the afforestation of the degraded lands.

The Ministry of Environment supports the NAMA Program “Supporting the scale up and speed up of Energy Efficient Heating in Moldova”. The aim is to reduce the GHG emissions and increase the energy security which consists of assessments and analyses of priorities, including and the most suitable technologies for additional funding and the development of the financing instrument program together with the financial institutions responsible for the current schemes. The program is planned for 5 years. All key stakeholders will be involved in the process: ministries, regulators, energy agencies, private developers, donors, and commercial banks.

Now, the Ministry of Environment is developing the National Afforestation Program, which provides for the planting of forests on an area of 100,000 ha. The program will be approved by the end of 2022 and the planting is foreseen for a period of 10 years, starting from 2022.

## **96. Has Moldova taken steps to curb greenhouse gas emissions from aviation activities?**

Emissions from aviation activities, reported under UNFCCC, are not significant in the Republic of Moldova comparing to the other sectors of the economy. Aviation activity is regulated by the following legal framework:

- Law No. 254/2008 on the accession of the Republic of Moldova to the Convention for the Unification of Certain Rules Relating to International Carriage by Air<sup>577</sup>;
- Law No. 143/2012 on airspace control<sup>578</sup>;
- Law No. 292/2012 for the ratification of the Agreement on the common airspace between the Republic of Moldova and the European Union and its Member States<sup>579</sup>;
- Law No. 59/2015 for the accession of the Republic of Moldova to the Convention on International Warranties on Mobile Equipment<sup>580</sup>;

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<sup>577</sup> [https://www.legis.md/cautare/getResults?doc\\_id=10617&lang=ro](https://www.legis.md/cautare/getResults?doc_id=10617&lang=ro)

<sup>578</sup> [https://www.legis.md/cautare/getResults?doc\\_id=15378&lang=ro](https://www.legis.md/cautare/getResults?doc_id=15378&lang=ro)

<sup>579</sup> [https://www.legis.md/cautare/getResults?doc\\_id=7708&lang=ro](https://www.legis.md/cautare/getResults?doc_id=7708&lang=ro)

<sup>580</sup> [https://www.legis.md/cautare/getResults?doc\\_id=60852&lang=ro](https://www.legis.md/cautare/getResults?doc_id=60852&lang=ro)

- Air Code of the Republic of Moldova No. 301/2017 (entered into force on 23 March 2019)<sup>581</sup>;
- Law No. 92/2007 on aviation security<sup>582</sup>;

Emission reduction commitments are set out in the Low Emission Development Strategy<sup>583</sup>. Specific Objective 2 of Annex 2 of the LEDS provides for unconditional reduction, by 2030, of greenhouse gas emissions from the transport sector by 30% and reduction of conditioned greenhouse gases by up to 40% compared to 1990. According to the Low Emissions Development Strategy, the target for 2020 in the Transport sector was 1999 kt CO<sub>2</sub>-e, and emissions in 2020 were 2730 kt CO<sub>2</sub>-e, there is an increase of emissions with 37%. The achievement of the targets by 2030 will be done by implementing the measures planned in the Action Plan (LEDS 2030), which is currently under revision and updated process.

Equivalent CO<sub>2</sub>-equivalent emissions from domestic aviation (internal directions within the country) are low, reflected in table 1.

**Table\_1. Results of recalculation of GHG emissions for the period 1990-2020 (source category 1A3a "Domestic aviation"), kt CO<sub>2</sub> equivalent**

	1990	1991	1992	1993	1994	1995	1996	1997
<b>CN5</b>	72.9612	55.2246	37.4879	19.7513	19.9387	20.0886	20.2086	20.3045
	1998	1999	2000	2001	2002	2003	2004	2005
<b>CN5</b>	20.6883	2.0476	2.0476	0.0990	0.0857	0.6615	0.3530	1.6946
	2006	2007	2008	2009	2010	2011	2012	2013
<b>CN5</b>	0.1989	1.0591	0.1528	0.0766	0.3530	0.0706	0.1412	0.1982
	2014	2015	2016	2017	2018	2019	2020	%
<b>CN5</b>	0.1412	0.3140	0.2321	0.5919	0.1548	0.2859	0.0706	-99.90

Emissions of CO<sub>2</sub>-equivalent from international aviation are relate in the Table 2.

**Table 2. Results of the recalculation of GHG emissions for the period 1990-2020 (source category "International Aviation"), kt CO<sub>2</sub> equivalent**

	1990	1991	1992	1993	1994	1995	1996	1997
<b>CN5</b>	195.7347	149.1177	109.8132	55.8837	31.2041	42.5212	57.3932	66.9600
	1998	1999	2000	2001	2002	2003	2004	2005
<b>CN5</b>	54.2100	63.7425	63.7967	51.0751	60.6297	35.2028	35.2315	38.3980

<sup>581</sup> [https://www.legis.md/cautare/getResults?doc\\_id=79683&lang=ro](https://www.legis.md/cautare/getResults?doc_id=79683&lang=ro)

<sup>582</sup> [http://www.old.mtid.gov.md/sites/default/files/files/leg\\_nat/2007-04-05-lege-privind-securitate-aeronautica.pdf](http://www.old.mtid.gov.md/sites/default/files/files/leg_nat/2007-04-05-lege-privind-securitate-aeronautica.pdf)

<sup>583</sup> [https://www.legis.md/cautare/getResults?doc\\_id=129232&lang=ro](https://www.legis.md/cautare/getResults?doc_id=129232&lang=ro)

	2006	2007	2008	2009	2010	2011	2012	2013
CN5	38.4085	44.7135	44.6408	44.6466	41.5312	41.4700	47.8362	41.5852
	2014	2015	2016	2017	2018	2019	2020	%
CN5	54.2988	57.4930	102.1063	149.8553	172.2996	153.1717	35.5495	-81.8

According to the data from the Statistical Yearbook-2021 (Transport section), there are 4 aircrafts in the balance of the Republic of Moldova<sup>584</sup>.

**97. Does Moldova have a system for monitoring, reporting and verification (MRV) of greenhouse gases, in particular the installation level one, and how it is organized?**

Moldova's MRV system is regulated by the Governmental Decision No.1277/2018<sup>585</sup> on the Establishment and Functioning of the National System for Monitoring and Reporting Greenhouse Gas Emissions and other Information Relevant to Climate Change, which transposed into the national legislation the Regulation (EU) No 525/2013 of the European Parliament and of the Council of 21 May 2013 on a mechanism for monitoring and reporting greenhouse gas emissions and for reporting other information at national and Union level relevant to climate change. The Government Decision No.1277/2018 established the followings:

- Procedures on establishment and functioning of the National System for monitoring and reporting of greenhouse gas emissions and other information relevant to climate change. The National system consists of: (1) National Inventory System and (2) National System for Policies, Measures and Forecasts. It establishes the competent authority – Environmental Agency, instruments of reporting, format/structure of these instruments, deadline for presenting the reports to the secretariat of the UNFCCC etc.
- List of authorities and institutions which are part of the National System for monitoring and reporting of greenhouse gas emissions and other information relevant to climate change.
- List of GHG and their GWP which are taken into consideration within the National System for Monitoring and Reporting of GHG emissions.

Recently, the Government Decision No. 1277/2018 was updated based on Article 13 of the Paris Agreement – Enhanced Transparency Framework by the Government Decision No. 358/2021.<sup>586</sup> The Government Decision No. 258/2021

<sup>584</sup> <https://statistica.gov.md/pageview.php?l=ro&idc=263&id=2193>

<sup>585</sup> [https://www.legis.md/cautare/getResults?doc\\_id=129128&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=129128&lang=ro#)

<sup>586</sup> The Government Decision No. 358/2021, available in Romanian at: [https://www.legis.md/cautare/getResults?doc\\_id=129054&lang=ro](https://www.legis.md/cautare/getResults?doc_id=129054&lang=ro)

transposed the Commission Delegated Regulation (EU) 2020/1044 of 8 May 2020. Last report presented to the UNFCCC in December 2021, the Biennial Update Reports (BUR3)<sup>587</sup>.

**98. In addition to the measures referred to under the heading "Industrial Pollution Control and Risk Management", is there legislation controlling emissions from mobile sources (cars, trucks, buses, etc.)? What arrangements are in place to monitor the quality and life-cycle of petrol, diesel, gas and heavy fuel oil?**

The Law on Atmospheric Air Quality, Article 34, line (3), stipulates: In order to apply the "polluter pays" principle, to prevent and reduce the harmful effects on the environment caused by air pollutants in accordance with Annex 2 (I-IV), a pollution tax on transportation means is applied according to the generated emissions, in accordance with the provisions of Law no. 1540/1998 on the payment for environmental pollution.

The main normative acts which regulate the quality of the fuel are:

- Law No.461/2001<sup>588</sup> on the market of petroleum products which establishes legal norms on import, transport, storage and marketing of petroleum products. Article 5(2) of the Law states that the inoffensive nature of petroleum products for the environment is ensured by the quality of the products, which are governed by national and international legal acts. The quality of the petroleum products is attested by inspection reports issued by the accredited inspection bodies under the conditions of Law No. 235/2011<sup>589</sup> on accreditation and conformity assessment activities and recognized by the Ministry of Economy and Infrastructure.
- Regulation on storage and wholesale marketing, through an automated system, of petroleum products (Governmental Decision No. 1116/2002<sup>590</sup>), which transposes at national level the Directive 98/70.
- Regulation on reduction of the sulfur content in certain liquid fuels (Governmental Decision No. 414/2016<sup>591</sup>) which transposes at the national level Council Directive 1999/32/EC of 26 April 1999 relating to a reduction in the sulphur content of certain liquid fuels and amending Directive 93/12/EEC.

An assessment of the national fuel consumption was carried out and the main conclusions are:

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<sup>587</sup> <https://unfccc.int/documents/403588>

<sup>588</sup> [https://www.legis.md/cautare/getResults?doc\\_id=130210&lang=ro](https://www.legis.md/cautare/getResults?doc_id=130210&lang=ro)

<sup>589</sup> [https://www.legis.md/cautare/getResults?doc\\_id=127061&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=127061&lang=ro#)

<sup>590</sup> [https://www.legis.md/cautare/getResults?doc\\_id=29803&lang=ro](https://www.legis.md/cautare/getResults?doc_id=29803&lang=ro)

<sup>591</sup> [https://www.legis.md/cautare/getResults?doc\\_id=114834&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=114834&lang=ro#)



- Six large regional companies operate on the market of petroleum products of the Republic of Moldova, in addition to small companies.
- The consumption of petroleum products in the Republic of Moldova is almost entirely covered by imports. Only 1% of the total volume of petroleum products consumed are from Moldova's own oil fields.
- Diesel constitutes more than 2/3 from the total volume of imported and consumed petroleum products. The import, respectively the consumption of gasoline, is declining, currently constituting around 1/5 of the total volume imported. The import of liquefied petroleum gas is increasing and reaches a quota of about 10%. The evolution of the consumption of petroleum products is influenced by the modification of the structure of the national fleet of vehicles and by the consumption of the agricultural sector, which is mainly based on the consumption of diesel.
- The main trading partner of the Republic of Moldova regarding the supply of petroleum products is Romania, a European Union member country, which delivers about 3/4 of the quantity of imported petroleum products. The fuels imported from Romania comply with European standards EN 228 "Fuel for cars. Unleaded. Requirements and test methods" and EN 590 "Fuel for cars. Diesel. Requirements and test methods", also adopted in the Republic of Moldova. Petroleum products imported from outside the EU comply with standards other than those mentioned.

According to the Government Decision No.72/2019<sup>592</sup> the import, storage and marketing of gasoline with tetraethyl lead is prohibited. The provision is in force from 24 February 2019. Additionally, it sets that petrol and diesel used in vehicles equipped with spark ignition engines and, respectively, those equipped with compression ignition engines, at import, must comply with the technical specifications, based on health and environmental considerations, performed according to the analytical methods provided in following standards: SM EN228 "Fuel for cars. Unleaded petrol. Test requirements and methods" and SM EN590 "Fuel for cars. Diesel. Test requirements and methods". These two European standards were adopted as national.

The Regulation on the storage and wholesale trade, through an automated system, of the identified petroleum products, was approved by Government Decision No.1116/2002. It transposes art. 2 points 1 and 2, art.3, 4, 7 and 8, Annex I-II to Directive 98/70/EC of the European Parliament and of the Council of 13 October 1998 relating to the quality of petrol and diesel fuel, last time amended by Directive (EU) 2015/1513 of the European Parliament and of the Council of 9 September 2015.

Heavy fuel oil is used in very small amounts, as reserve fuel, and the emissions are estimated under the category 1A1.energy industries to the UNFCCC reports.

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<sup>592</sup> <http://lex.justice.md/md/379422%20/>

**99. What steps has Moldova taken to set emission performance standards for new vehicles and to promote monitoring and availability of consumer information on fuel economy and CO<sub>2</sub> emissions in respect of the marketing of new cars?**

The following standards on fuels and emissions reductions are adopted:

SM EN 228 + A1: 2017 „Car fuels. Unleaded gasoline. Requirements and test methods". This standard specifies the requirements and test methods for unleaded gasoline delivered and marketed in the territory of the Republic of Moldova and is applicable to unleaded gasoline intended for use in gasoline-powered vehicles designed to run on unleaded gasoline. Date of entry into force: 08.08.2017. This standard represents the transposition of the European standard EN 228: 2012 + A1: 2017.

SM EN 590 + A1: 2017 “Automotive fuels. Diesel. Requirements and test methods". This standard specifies the requirements and test methods for diesel fuel delivered and marketed in the Republic of Moldova and is applicable to automotive diesel for use in diesel vehicles designed to run on diesel fuel containing up to 7.0% (V / V) methyl acids and fatty acids. Date of entry into force: 30.11.2017. This standard represents the transposition of the European standard EN 590: 2013 + A1: 2017.

SM SR EN 589 + A1-2016 „Car fuels. LPG. Requirements and test methods". This standard specifies the requirements and test methods for automotive LPG (liquefied petroleum gas) fuel sold and delivered in the territory of the Republic of Moldova and is applicable to automotive LPG fuel used in vehicle engines designed to run on automotive LPG. Date of entry into force: 22.11.2016. This standard represents the transposition into Romanian of the European standard EN 589: 2008+ A1: 2012.

SM EN 15376-2017 „Car fuels. Ethanol - blend component for gasoline. Requirements and test methods". This standard sets out the requirements and test methods for ethanol marketed and delivered for use as a fuel component, for petrol motor vehicles, in accordance with the requirements of EN 228. This standard applies to ethanol used for blending at all levels, up to at 85% (V / V) inclusive. Date of entry into force: 14.12.2017. This standard represents the transposition into Romanian of the European standard EN 15376-2014.

SM EN 14274: 2017 “Car fuels. Evaluation of petrol and diesel quality. Fuel Quality Monitoring System (FQMS)". This European standard describes a fuel quality monitoring system for assessing the quality of petrol and diesel fuel marketed in any of the Member States of the European Community. Date of entry into force: 25.09.2017.

SM EN 14275: 2017 “Automotive fuels. Gasoline and diesel fuel quality assessment. Sampling at the pump gun at distribution stations and other commercial distribution points". This standard specifies a procedure for the

extraction of fuel and diesel samples, from fuel dispensers for use, in the assessment of motor vehicle fuels in accordance with SM EN 14274. This standard does not cover the sampling of liquefied petroleum gas (LPG). Date of entry into force: 25.09.2017.

Measures in the transport sector aimed at reducing GHG emissions include already approved Regulation on measures to reduce emissions from air conditioning systems of vehicles (Governmental Decision no.1242/2016<sup>593</sup>). According to this document, "Air conditioning systems on any vehicle are no longer charged with fluorinated greenhouse gases with a GWP100 greater than 150, except for recharging air conditioning systems containing such gases but which have been installed on vehicles before of January 1, 2021".

The Ministry of Environment launched the initiative of the elaboration of the amendment<sup>594</sup> to Law No.1540/1998 on the payment for environmental pollution<sup>595</sup>, its approval is expected by beginning of 2023.

**100. What steps has Moldova taken to promote carbon capture and storage and is there any legislation in place to make it safe and secure?**

The legal provisions are Land Code No 350/2001<sup>596</sup>, Forest Code No. 887/1996<sup>597</sup>, Water Code No. 440/1995<sup>598</sup>, Law on Rehabilitation of Degraded Lands through Afforestation No.1041/2000<sup>599</sup>, the Strategy on Forest Fund Development No.350/2001<sup>600</sup>. These documents serve as a regulatory base for promoting the actions of carbon sequestration and environment protection.

The National Commission on Climate Change (NCCC)<sup>601</sup> was created by the Government Decision No. 444/2020. It is an inter-institutional body set up to coordinate and promote the climate change measures and actions necessary to ensure the implementation of the Paris Agreement at the national level. The Regulation on establishment and functioning of the Technical Committees and Operational Manual for the Commission was developed in 2021.

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<sup>593</sup> [https://www.legis.md/cautare/getResults?doc\\_id=114298&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=114298&lang=ro#)

<sup>594</sup> <https://mediu.gov.md/ro/content/anun%C8%9B-privind-ini%C8%9Biere-elabor%C4%83rii-proiectului-de-modificare-legii-nr-15401998-privind-plata>

<sup>595</sup> <https://mediu.gov.md/ro/content/anun%C8%9B-privind-ini%C8%9Biere-elabor%C4%83rii-proiectului-de-modificare-legii-nr-15401998-privind-plata>

<sup>596</sup> [https://www.legis.md/cautare/getResults?doc\\_id=111939&lang=ro](https://www.legis.md/cautare/getResults?doc_id=111939&lang=ro)

<sup>597</sup> [https://www.legis.md/cautare/getResults?doc\\_id=118482&lang=ro](https://www.legis.md/cautare/getResults?doc_id=118482&lang=ro)

<sup>598</sup> [https://www.legis.md/cautare/getResults?doc\\_id=16160&lang=ro](https://www.legis.md/cautare/getResults?doc_id=16160&lang=ro)

<sup>599</sup> [https://www.legis.md/cautare/getResults?doc\\_id=64409&lang=ro](https://www.legis.md/cautare/getResults?doc_id=64409&lang=ro)

<sup>600</sup> [https://www.legis.md/cautare/getResults?lang=ro&doc\\_id=63247](https://www.legis.md/cautare/getResults?lang=ro&doc_id=63247)

<sup>601</sup> [https://www.legis.md/cautare/getResults?doc\\_id=122314&lang=ro](https://www.legis.md/cautare/getResults?doc_id=122314&lang=ro)

Advancing Moldova's National Climate Change Adaptation Planning<sup>602</sup> project is supported by Green Climate Fund, with a budget of 2,289,784 USD, for the period 2020-2024.

Under the Kyoto Protocol Moldova was eligible for Carbon Development Mechanism (CDM). Since 2007 there has been implemented in Republic of Moldova a CDM project in the field of afforestation and carbon sequestration. The Moldova Soil Conservation Project<sup>603</sup> implemented as a CDM project proposes to achieve multiple objectives of restoring the productivity of degraded lands, enhancing forest product supplies to local communities and promoting actual net GHG removals by sinks. The project area covers degraded lands in the northern, central and southern regions of the country.

The project was conceived to prevent soil erosion, landslides, stabilize slopes, and generate wood and non-wood product supplies to meet the wood requirements of rural communities. As native species often require better soil conditions, their share could be increased on the restored lands in the subsequent crediting periods. Soil erosion and landslides are major environmental problems that adversely affect land productivity in several regions of the Republic of Moldova. As per Article 21 of the Law on the Improvement of Degraded Lands No. 1041/2000 by the means of afforestation is a sustainable measure, promoting suitable development via soil protection, reducing the dioxide emissions, and getting carbon revenues from sale of certified emission reduction credits (CERs) from afforestation/reforestation activities under the CDM.

The new actions on carbon capture and storage are described in the Third Biennial Update Report of the Republic of Moldova pages 163-167604.

The legislation to promote carbon capture and storage (CCS) is not yet elaborate. However, the CCS technology has already a limited application in the industrial sector, for instance in the beverage production sector, 605 capturing the biogenic carbon dioxide originating from the fermentation process in beer production. The captured biogenic carbon dioxide is stored in metal tanks and is used during the year in the production of soft drinks., the national legislation will be revised in conjunction with amendments introduced by the CCS Directives.

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<sup>602</sup> [https://www.adaptation-undp.org/projects/moldova-nap-process#:~:text=The%20National%20Adaptation%20Plan%20\(NAP,gender%2Dsensitive%20and%20participatory%20process.](https://www.adaptation-undp.org/projects/moldova-nap-process#:~:text=The%20National%20Adaptation%20Plan%20(NAP,gender%2Dsensitive%20and%20participatory%20process.)

<sup>603</sup> <https://cdm.unfccc.int/Projects/DB/SGS-UKL1216031019.22/view>

<sup>604</sup> [file:///C:/Users/Stela%20Drucioc/Desktop/BUR3-EN-211211\\_web.pdf](file:///C:/Users/Stela%20Drucioc/Desktop/BUR3-EN-211211_web.pdf)

<sup>605</sup> [https://seenews.com/companies/company\\_profile/efes-vitanta-moldova-brewery-sa-3713](https://seenews.com/companies/company_profile/efes-vitanta-moldova-brewery-sa-3713)

**101. Are measures for the reduction of emissions of fluorinated gases in place or planned, in particular as regards import and placing on the market of equipment charged with those gases?**

The Government of Moldova has approved Government Decision No. 536/2020 on the approval of the draft law for the accession of the Republic of Moldova to the Amendment to the Montreal Protocol on Substances that Destroy the Ozone Layer, adopted in Kigali on October 15, 2016. At the moment, the draft law is being examined by Parliamentary Commissions<sup>606</sup>.

Following the accession to the Kigali Amendment, the Republic of Moldova will have the following schedule for reducing hydrofluorocarbons (HFC) consumption:

- estimation of the base level (production / consumption of HFC) as an average of the years 2020, 2021, 2022 + 65% of the basic level (production / consumption) of HCFC;
- 2024-2028 - freezing of consumption at the level of basic consumption (average of 2020, 2021, 2022 + 65% of the basic level (production / consumption) of HCFC);
- 2029-2034 (stage I) - reduction of consumption by 10%;
- 2035-2039 (stage II) - reduction of consumption by 30%;
- 2040-2044 (stage III) - reduction of consumption by 50%;
- 2045 and later (stage IV) - reduction of consumption by 80% (from the basic level).

In order to regulate HFC consumption, the Ministry of Environment has drafted the Law on Fluorinated Greenhouse Gases<sup>607</sup>, which transposes the EU Regulation No. 517/2014 of the European Parliament and of the Council of 16 April 2014 on fluorinated greenhouse gases. The draft law establishes the rules on the use of fluorinated greenhouse gases, regulates the conditions for the placing on the market of products and equipment that contain or whose operation is based on fluorinated greenhouse gases, sets quantitative limits for the placing on the market of HFC. After the entry into force of the law, the placing on the market of fluorinated gases, products and equipment containing such gases will be possible only on the basis of authorization (Chapter IV, art.20). From 2024 onwards, the import of products and equipment provided for in Annex III of EU Regulation 517/2014 is expected to be banned. The draft law currently is in process of public consultations. The adoption of draft law is foreseen at the end of 2022<sup>608</sup>. The measures for the reduction of emissions of fluorinated gases will start in 2023.

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<sup>606</sup>

<https://www.parlament.md/ProcesulLegislativ/Proiectedeactelegislative/tabid/61/LegislativId/5220/language/ro-RO/Default.aspx>

<sup>607</sup> <https://particip.gov.md/ro/document/stages/anunt-cu-privire-la-initierea-consultarilor-publice-asupra-proiectului-legii-privind-gazele-fluorurate-cu-efect-de-sera/9128>

<sup>608</sup> <http://mediu.gov.md/ro/content/anun%C8%9B-cu-privire-la-ini%C5%A3ierea-consult%C4%83rilor-publice-asupra-analizei-de-impact-proiectului>

**102. What is the level of preparedness of administrative capacities at all levels needed to implement climate targets and acquis?**

The reorganization of the central public authorities in the Republic of Moldova (Parliament Decision No. 89/2021<sup>609</sup> for the approval of the list of ministries) has started in 2021. As a result, the Ministry of Agriculture, Regional Development and Environment has been divided into three institutions: the Ministry of Agriculture and Food Industry, the Ministry of Infrastructure and Regional Development and the central environmental body, the Ministry of Environment<sup>610</sup>.

Following the reform, the institutional capacity of the central public authority in the field of environment was strengthened, the number of employees increased from 28 to 62 people. Annual staff performance reviews are the basis for identification of staff needs and are used for the capacity building initiatives, including the ones from various projects. The Ministry of Environment started the functional review of all subordinate structures based on their areas of competencies, and the reform will be finalized during the year 2022.

The current policy documents promote the development of the environmental bodies at the municipal and district level. By engaging with the EU, UNFCCC, Paris Agreement, and other environmental treaties, the Ministry of Environment enhances its capacities and leadership as a provider of technical knowledge and expertise in the area of climate change, along with enhanced capacities for managing national coordination mechanism of cross-sectoral climate and environmental planning and implementation.

The legal base assuring the coordination processes are the followings:

- Government Decision No. 444/2020 on the establishment of the mechanism for coordinating activities in the field of climate change;
- Government Decision No.1277/2018 on Establishment and Functioning of the National System for Monitoring and Reporting Greenhouse Gas Emissions and other Information Relevant to Climate Change was updated based on the Enhanced Transparency Framework.

Under the ongoing institutional reform of the subordinated structures of the Ministry of Environment, the capacity-building for climate change issues is addressed for strengthening.

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<sup>609</sup> [https://www.legis.md/search/getResults?doc\\_id=127270&lang=ro](https://www.legis.md/search/getResults?doc_id=127270&lang=ro)

<sup>610</sup> [https://www.legis.md/search/getResults?doc\\_id=127621&lang=en](https://www.legis.md/search/getResults?doc_id=127621&lang=en)