

INFORMAL TRANSLATION

Questionnaire for the

REPORT OF **MOLDOVA** FOR 2003-2005 ON THE IMPLEMENTATION OF THE ESPOO CONVENTION ON ENVIRONMENTAL IMPACT ASSESSMENT IN A TRANSBOUNDARY CONTEXT

for the period mid-2003 to end of 2005

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PART I – CURRENT LEGAL AND ADMINISTRATIVE FRAMEWORK FOR THE IMPLEMENTATION OF THE CONVENTION

Please provide the information requested below in Part I, or revise any information relative to the previous report. Describe the legal, administrative and other measures taken in your country to implement the provisions of the Convention. This part should not be used to describe your experience of applying the Convention, i.e. just the framework for its implementation.

Article 2

General Provisions

DOMESTIC IMPLEMENTATION OF THE CONVENTION

1. *List the general legal, administrative and other measures taken in your country to implement the provisions of the Convention (Art. 2.2).*

Legislative Framework. The general legislative and regulatory instruments pertaining to EIAs are:

- the Law on Environment Protection No. 1515-XII of 15.06.1993 with subsequent amendments;
- the Law on Environmental Expert Review and the Assessment of Environmental Impact No. 851-XIII of 29.05.1996 with subsequent amendments;
 - o Government Regulation No. 951 of 14.10.97 “On Giving Effect to the Provision on Consultation with the Population in the Process of Developing and Adopting Documents on Territorial Development and Urban Construction”;
 - o Government Regulation on No. 72 of 25.01.2000 “On Giving Effect to the Provision on Public Participation in Drafting and Decision-Making in the Area of Environment Protection”;
 - o Instruction on the Framework for Organization and Implementation of State Environmental Expert Review, given effect by Ministerial Decree No. 220 of 11.09.2002 and registered with the Ministry of Justice of the Republic of Moldova;
 - o Regulation on a Joint Expert Commission under the Ministry of Ecology, Construction and Territorial Development, given effect by Ministerial Decree No. 25 of 20.12.1998.

TRANSBOUNDARY EIA PROCEDURE

2. *Describe your national and transboundary EIA procedures and authorities (Art. 2.2):*

- a. *Describe your EIA procedure and indicate which steps of the EIA procedure include public participation.*

EIAs are regulated by national legislation. The Ministry for Ecology and Natural Resources coordinates EIA related activities.

- a. National EIA procedures. This section briefly covers EIA procedures for activities prior to producing project documentation.

1. The developer of activities subject to compulsory EIA documentation requirements concludes an agreement on the producing EIA documentation with the organisation holding a license for that activity.

2. On the basis of the EIA documentation the developer prepares the Notice of Environmental Impact (NEIA), which presents and analyses all materials, calculations and research considered during the drafting of EIA documentation.
3. The developer sends the NEIA to the concerned ministries and departments as well as the local public authorities of the regions to be affected by the proposed activity's harmful environmental impact.
4. The local public authorities organise public environmental expert reviews as well as public discussions.
5. Within the established time frame, the ministries and departments and the local public authorities send their comments to the developer and a copy thereof to the central environmental authority (the Ministry for Ecology and Natural Resources).
6. The developer modifies the NEIA in accordance with the observations arising from public discussions and the comments from local public authorities, ministries and departments.
7. The final draft of the NEIA is sent to the state environmental expert review at the central environmental authority.
8. The central environmental authority issues a Decision of the state environmental expert review of EIA documentation. Natural and legal persons do not have the right to proceed with planning and project documentation without first receiving a positive decision.

- b. Describe how the different steps of the transboundary EIA procedure mentioned in the Convention fit into your national EIA procedure.*

The stages indicated in the Convention correspond to the following national EIA procedures:

- the EIA is conducted prior to the implementation of the proposed activity,
- Notification of the affected Parties,
- consultations with the affected Parties take place when necessary,
- public participation in the EIA,
- final decision takes EIA into consideration.

- c. List the different authorities that are named responsible for different steps of the transboundary EIA procedure. Also list the authorities responsible for the domestic EIA procedure, if they are different.*

The coordinating body for EIA procedures in a transboundary context and in a national context is the Ministry for Ecology and Natural Resources.

At the national level the developer of the proposed activity bears responsibility for producing the EIA and the Notice of EIA as well as for the agreements with ministries and departments and local public authorities.

The local public authorities bear responsibility for informing the public of the proposed activity on the basis on the Notice of EIA.

The Ministry for Ecology and Natural Resources conducts an environmental expert review of the EIA and issues a decision after taking account of observations and suggestions from the concerned Parties and the public.

- d. Is there one authority in your country that collects information on all the transboundary EIA cases under the Convention? If so, name it. If not, do you intend to establish such an authority?*

There is no specific authority in Moldova for the collection of EIA information, a Ministry subdivision is responsible for this task.

3. *Do you have special provisions for joint cross-border projects (e.g. roads, pipelines)?*

In each separate instance of implementation of a transboundary project, an appropriate provision or agreement is established and then given effect by the government.

IDENTIFICATION OF A PROPOSED ACTIVITY REQUIRING EIA UNDER THE CONVENTION

4. *Is your country's list of activities subject to the transboundary EIA procedure equivalent to that in Appendix I to the Convention?*

The list of activities subject to the transboundary EIA procedure in national legislation comprises Appendix I of the Convention and other activities.

5. *Please describe:*

- a. *The procedures and, where appropriate, the legislation you would apply to determine that an "activity", or a change to an activity, falls within the scope of Appendix I (Art. 2.3), or that an activity not listed should be treated as if it were (Art. 2.5);*

The selection of activities considered as having potential significant transboundary impact is based on the list of activities in Appendix I of the Convention. The selection of activities subject to EIA procedures at the national level is regulated by the Law on Environmental Expert Review and the Assessment of Environmental Impact (chapter 12 "List of activities subject to mandatory EIA procedures prior to project implementation").

- b. *How a change to an activity is considered as a "major" change;*

See 5a.

- c. *How such an activity, or such a change to an activity, is considered likely to have a "significant" adverse transboundary impact (Art. 2.5, Guidelines in Appendix III); and*

See 5a.

- d. *How you would decide whether it is "likely" to have such an impact. (Art. 2.3)*

See 5a.

PUBLIC PARTICIPATION

6. *Do you have your own definition of "the public" in your national legislation, compared to Article 1(x)? How do you, together with the affected Party, ensure that the opportunity given to the public of the affected Party is equivalent to the one given to your own public as required in Article 2, paragraph 6?*

National legislation defines the term "public" and provides for public participation in EIA procedures.

Article 3

Notification

QUESTIONS TO PARTY OF ORIGIN

7. *Describe how you determine when to send the notification to the affected Party, which is to occur "as early as possible and no later than when informing its own public"? At what stage in the EIA procedure do you usually notify the affected Party? (Art. 3.1)*

In the limited practical experience of EIA in the Republic, notification is generally sent to the affected Party once the Notice of Environmental Impact is complete. State authorities and the public in the country itself are also informed at this moment.

There has also been an example of notification taking place before EIA documentation is complete (at the moment when the list of sites for construction was established).

8. *Describe how you determine the content of the notification? (Art. 3.2)*

Article 3.2 serves as guidance in determining the content of the notification. If there is an NEIA, it is communicated in its entirety.

9. *Describe the criteria you use to determine the time frame for the response to the notification from the affected Party (Art 3.3, “within the time specified in the notification”)? What is the consequence if an affected Party does not comply with the time frame? If an affected Party asks for an extension of a deadline, how do you react?*

We observe the time limit set forth in national law (30 days) when determining the time frame for the response to the notification from the affected Party. If the affected Party provides reasonable grounds for an extension to the deadline, we accept the request.

10. *Describe when you provide relevant information regarding the EIA procedure and proposed activity and its possible significant adverse transboundary impact as referred to in Article 3, paragraph 5. Already with the notification or later in the procedure?*

Information regarding the EIA procedure and its possible significant impact is sent with the notification.

11. *How do you determine whether you should request information from the affected Party (Art. 3.6)? When do you normally request information from the affected Party? What kind of information do you normally request? How do you determine the time frame for a response from the affected Party to a request for information, which should be “prompt” (Art. 3.6)?*

The Party of origin requests information from the affected Party during the EIA procedure.

12. *How do you consult with the authorities of the affected Party on public participation (Art. 3.8)? How do you identify, in cooperation with the affected Party, the “public” in the affected area? How is the public in the affected Party notified (what kinds of media, etc are usually used)? What is normally the content of the public notification? Does the notification to the public of the affected Party have the same content as the notification to your own public? If not, describe why not. At what stage in the EIA procedure do you normally notify the public of the affected Party?*

The Party of origin sends the notification and Notice of EIA to the affected Party. The Party of origin must itself inform other state authorities and the public in its own country.

13. *Do you make use of contact points for the purposes of notification as decided at the first meeting of Parties (ECE/MP.EIA/2, decision I/3), and listed on the Convention website at http://www.unece.org/env/eia/points_of_contact.htm?*

In practice, the notification is sent to the corresponding ministry, without indicating the name of the Convention contact person. (This is due to the fact that countries frequently change the person responsible for matters regarding the Convention)

14. *Do you provide any information to supplement that required by Article 3, paragraph 2? Do you, furthermore, follow the proposed guidelines in the report of the first meeting of the Parties (ECE /MP/2, decision I/4)? If not, in what format do you normally present the notification?*

We follow the guidance in the Appendix “Format for Notification under Article 3 of the ECE Convention on Environmental Impact Assessment in a Transboundary Context”, decision 1 / 4.

QUESTIONS TO AFFECTED PARTY

15. *Describe the process of how you decide whether or not you want to participate in the EIA procedure (Art. 3.3)? Who participates in the decision-making, for example: central authorities, local competent authorities, the public and environmental authorities? Describe the criteria or reasons you use to decide?*

The Ministry for Ecology and Natural Resources decides, with the input of other concerned ministries and departments, whether to participate in the EIA procedure.

The Ministry for Ecology and Natural Resources also sends the materials submitted by the Party of origin and an accompanying letter to the relevant ministries and departments with a view to receiving their views on the planned activity. The ministry may, where necessary, organise a meeting with representatives of concerned ministries and NGOs to discuss the issue and the decision to be taken.

16. *When the Party of origin requests you to provide information relating potentially affected environment: (a) how do you determine what is “reasonably obtainable” information to include in your response; and (b) describe the procedures and, where appropriate, the legislation you would apply to determine the meaning of “promptly” in the context of responding to a request for information? (Art. 3.6)*

National law does not define the procedure of promptly responding to an affected Party’s request for information.

We consider that we would apply this expression in law as meaning the obligatory submission of information within a pre-established period.

a) we understand “reasonably obtainable information” as statistical data on all aspects of environmental protection, on monitoring, i.e. not relating to analytical calculations and evaluation.

Article 4

Preparation of the EIA documentation

QUESTIONS TO PARTY OF ORIGIN

17. *What is the legal requirement for the content of the EIA documentation (Art. 4.1)?*

The general requirements for the content of EIA and NEIA documentation are set forth in the Law on Environmental Expert Review and the Assessment of Environmental Impact in part II “General Requirements for the Content of EIA Documentation” and part III “General Requirements for the Content of NEIA Documentation”.

Extract from the Law:

“6. EIA documentation shall include:

6.1 Materials identifying, describing and evaluating the anticipated direct and indirect impact of the proposed activity on:

- a) climate, air, surface ground, ground and phreatic water, soil, subsurface, landscapes, nature reserves, flora and fauna, the functioning and stability of the ecosystem, local inhabitants;
- b) natural resources;
- c) sites of cultural or historical significance;

- d) environmental standards in towns and villages;
- e) socio-economic conditions.

6.2 A comparison of suggested alternatives and a reasoned justification of the preferred option.

6.3 Suggested measures or parameters to either avoid or reduce the anticipated negative impact, or enhance the positive impact, of the proposed activity on the environment.

6.4 Assessment of the consequences of not proceeding with the planned activity.

7. An activity's impact shall be evaluated for the stages of development, implementation and full operation as well as for the halting or reducing of operations, including the period after the halting or reducing of operations. All possible characteristics of the potentially affected territory shall be taken into account in assessing the anticipated impact of the activity, both for normal operations and for possible emergencies and accidents.

8. On the basis of EIA documentation the developer drafts a Notice of Environmental Impact (NEIA) which presents and analyses all materials, calculations and research considered during the drafting of EIA documentation."

18. *Describe your country's procedures for determining the content of the EIA documentation (Art. 4.1).*

The requirements for the content of EIA documentation are set forth in the Law on Environmental Expert Review and the Assessment of Environmental Impact.

19. *How do you identify "reasonable alternatives" in accordance with Appendix II, alinea (b)?*

"Reasonable alternatives" are understood as other viable options for the planned activity (different location for the activity, use of alternative technology and the zero option of not continuing with the proposed activity).

20. *How do you identify "the environment that is likely to be affected by the proposed activity and its alternatives" in accordance to Appendix II, alinea (c), and the definition of "impact" in Article 1(vii)?*

There is no contradiction between these items, which is why both forms are used.

21. *Do you give the affected Party all of the EIA documentation (Art. 4.2)? If not, which parts of the documentation do you provide?*

The affected Party receives the Notification relating to EIA in conformity with national legislation.

22. *How is the transfer and reception of the comments from the affected Party organized? How does the competent authority in your country (as the Party of origin) deal with the comments? (Art. 4.2)*

The affected Party's comments are submitted to the Ministry for Ecology and Natural Resources. These comments are forwarded to those responsible for the EIA and duly discussed. The developer of the proposed activity is also involved in this process. Where necessary, the EIA and Notice of EIA are amended and the final version of documentation (taking into account all suggestions and comments from the affected Party and national stakeholders) is then subject to state environmental expert review.

23. *Describe the procedures and, where appropriate the legislation you would apply to determine the time frame for comments provided for in the words “within a reasonable time before the final decision” (Art. 4.2)? What is the consequence if the affected Party does not comply with the time frame? If an affected Party asks for an extension of a deadline, how do you react?*

We observe the time limit set forth in national law (30 days) when determining the time frame for the response to the notification from the affected Party. If the affected Party provides reasonable grounds for an extension to the deadline, we accept the request.

24. *What material do you provide, together with the affected Party, to the public of the affected Party?*

We consider that the affected Party should itself convey the information submitted by the Party of origin to the public and other concerned authorities in its country.

25. *Do you initiate a public hearing for the affected public, and at what stage, whether in the affected Party, in your country or as a joint hearing? If a public hearing is held in your country, as Party of origin, can the public of the affected Party, public authorities, organizations or other individuals come to your country to participate?*

When the country is the Party of origin, public hearings are organised on its territory (but not on the territory of the affected Party). The concerned authorities and the public of the affected Party may take part.

QUESTIONS TO AFFECTED PARTY

26. *Describe the procedures and, where appropriate, the legislation you would apply to determine the meaning of the words “within a reasonable time before the final decision”, this being the time frame for comments (Art. 4.2)?*

The time frame for submission of comments, in accordance with national legislation, is 30 days.

27. *Who is responsible for the organization of the public participation in the affected Party? Is the public participation normally organized in accordance with your legislation as the affected Party, or with the legislation of the Party of origin, or with ad hoc procedures, or with bilateral or multilateral agreements?*

In the case of the country being the Party of origin, the local public authorities of the area potentially affected by the impact of the proposed activity organise public participation and the Ministry for Ecology and Natural Resources plays a coordinating role.

Article 5

Consultations

QUESTIONS TO PARTY OF ORIGIN

28. *At which step of the EIA procedure does the consultation in accordance with Article 5 generally take place? Describe the procedures and, where appropriate, the legislation you would apply to determine the meaning of “undue delay”, with regard to the timing of entry into consultation? Do you normally set the duration for consultations beforehand? If there seems to be no need for consultation, how do you determine not to carry out consultations?*

Consultations with the affected Party are organised once the Party of origin has transmitted to it the Notice of Environmental Impact. After considering the NEIA, and within a period of one month, the affected Party states whether or not it requires consultations.

29. *On what level do you arrange for consultation: national, regional or local? Who usually participates in the consultation? Describe the responsibilities of the authorities involved. By what means do you usually communicate in consultations, for example by meeting, exchange of written communications?*

Participants in consultations at the state level include those responsible for the EIA and representatives from the ministry (with representatives of the ministries, departments, and the public, the consultations can also be held at the local level).

QUESTIONS TO AFFECTED PARTY

30. *On what level is the consultation normally held: national, regional or local? Who normally participates in the consultation? By what means do you usually communicate in consultations, for example by meeting or by the exchange of written communications? How do you indicate if there is no need for consultations?*

The need for consultations and the procedures to follow are determined for each individual case.

Article 6

Final decision

QUESTIONS TO PARTY OF ORIGIN

31. *Describe what is regarded as the “final decision” to authorize or undertake a proposed activity (Art. 2.3). Do all projects listed in Appendix I require such a decision?*

At the national level a final decision is regarded as a positive decision by the state authorities which itself requires a positive decision from the state environmental expert review.

Such a decision is obligatory for all projects listed in Appendix 1.

32. *How does the EIA procedure (including the outcome) in your country, whether or not transboundary, influence the decision-making process for a proposed activity? (Art. 6.1)*

In accordance with national legislation, an EIA is also carried out for activities not having a transboundary impact.

33. *Are the comments of the authorities and the public of the affected Party and the outcome of the consultations taken into consideration in the same way as the comments from the authorities and public in your country (Art. 6.1)?*

The comments of the authorities and the public are taken into consideration.

34. *How is the obligation to submit the final decision to the affected Party normally fulfilled? Does the final decision contain the reasons and considerations on which the decision is based? (Art. 6.2)*

The affected Party receives written notification of the decision together with a brief reasoning for that decision.

35. *If additional information comes available according to paragraph 3 before the activity commences, how do you consult with the affected Party? If need be, can the decision be revised? (Art. 6.3)*

If the additional information is of a conceptual nature, the decision may be revised.

Article 7

Post-Project Analysis

36. *How do you determine whether you should request a post-project analysis to be carried out (Art. 7.1)?*

The need for post-project analysis is determined for each individual case.

37. *Where, as a result of post-project analysis, it is concluded that there is a significant adverse transboundary impact by the activity, how do you inform the other Party and consult on necessary measures to reduce or eliminate the impact pursuant to Article 7, paragraph 2?*

No practical experience.

Article 8

Bilateral and multilateral agreements

38. *Do you have any bilateral or multilateral agreements based on the EIA Convention (Art. 8, Appendix VI)? If so, list them. Briefly describe the nature of these agreements. To what extent are these agreements based on Appendix VI and what issues do they cover? If publicly available, also attach the texts of such bilateral and multilateral agreements, preferably in English, French or Russian.*

We have no agreements based on the EIA Convention.

39. *Have you established any supplementary points of contact pursuant to bilateral or multilateral agreements?*

No, none have been established.

Article 9

Research programmes

40. *Are you aware of any specific research in relation to the items mentioned in Article 9 in your country? If so, describe it briefly.*

No specific research has been conducted in relation to the items mentioned in Article 9.

Ratification of the amendments to the Convention and of the Protocol on SEA

41. *If your country has not yet ratified the first amendment to the Convention, does it have plans to ratify this amendment? If so, when?*

It has not yet ratified. It plans to ratify (2007-2008).

42. *If your country has not yet ratified the second amendment to the Convention, does it have plans to ratify this amendment? If so, when?*

It has not yet ratified. It plans to ratify (2007-2008).

43. *If your country has not yet ratified the Protocol on SEA, does it have plans to ratify the Protocol? If so, when?*

It plans to ratify the SEA Protocol in 2008.

PART II – PRACTICAL APPLICATION DURING THE PERIOD 2003-2005

Please report on your practical experiences of applying the Convention (not your procedures described in Part I), whether as Party of origin or affected Party. The focus here is on identifying the best practice as well as difficulties Parties encountered in applying the Convention in practice to enable Parties to share solutions. Parties should therefore provide appropriate examples highlighting application of the Convention and innovative approaches to improve application of the Convention.

CASES DURING THE PERIOD 2003-2005

44. *Do you have any practical experience of applying the Convention in this period (yes/no)? If you do not have any such experience, why not?*

There have been a number of cases involving the application of the Convention, including: Examples of practical application of the Convention:

1. The Party of origin (Ukraine) sent the affected Party (Republic of Moldova) EIA documentation for the project “Creation of the Danube - Black Sea deep-water navigation channel along the route “Solomon Branch”, “Zhebrianskaya Bay” and “Bistroe Estuary””. The Ministry for Ecology and Natural Resources organised the review of the documentation with concerned organisations and the public and sent the resulting suggestions and comments to the Party of origin. However, the Party of origin did not respond to our comments (2004).
2. The Party of origin (Romania) sent the Ministry for Ecology and Natural Resources of the Republic of Moldova notification of the planned project “Chernovod Nuclear Power Plant, block 3” and the Ministry expressed its wish to participate in the process.
3. The Party of origin (Romania) sent the Ministry for Ecology and Natural Resources of the Republic of Moldova notification of the planned project “Rosie Montana”. In light of the information submitted and the analysis thereof, the Ministry declined to participate in the EIA, since the construction will have no significant impact on the environment of the Republic of Moldova.
4. As the Party of origin, the Ministry sent the affected Parties (Romania and Ukraine) notification of the proposed construction of a thermal power plant with 450 MW capacity together with EIA documentation (April, 2006).
5. There is a plan to construct the Dzhurdzhulesht' international free port on the site of an existing oil terminal. At the current time, construction of previously agreed facilities is being completed and an environmental impact assessment is being carried out. Once the list of the facilities to be constructed is completed, notification will be sent to the affected Parties (Romania and Ukraine).

A number of EIAs have been conducted at the national level for projects with no transboundary impact.

45. *Does your national administration have information on the transboundary EIA procedures that were underway during the period? If so, please list these procedures, clearly identifying for each whether your country was the Party of origin or the affected Party. If you have not provided a list of transboundary EIA procedures in connection with previous reporting, also provide a list of those procedures. If possible, also indicate for each procedure why it was considered necessary to apply the Convention.*

The national administration has information on completed EIA procedures, for example:

Moldova as the Party of origin:

- Completion of EIA and notification of affected Parties regarding the construction of a thermal power plant with 450 MW capacity.
- In regard to the construction of the international free port Dzhurdzhulesht', the need to produce an EIA in the near future has been discussed with representatives of all ministries and departments and the project developers (a letter containing information on this site has been sent to the Ministry for the Environment of Ukraine).

Moldova as the affected Party

- EIA documentation was received relating to the project "Creation of the Danube - Black Sea deep-water navigation channel along the route "Solomon Branch", "Zhebrianskaya Bay" and "Bistroe Estuary".
- The Party of origin (Romania) sent notification of the proposed project "Chernovod Nuclear Power Plant, block 3". The notification was communicated to the ministries and departments of the Republic.

46. *Are there other projects than those mentioned above for which a transboundary EIA procedure should have been applied, but was not? Explain why.*

No.

47. *Provide information on the average durations of transboundary EIA procedures, both of the individual steps and of the procedures as a whole.*

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EXPERIENCE OF THE TRANSBOUNDARY EIA PROCEDURE IN 2003-2005

48. *If you have had practical experience, has the implementation of the Convention supported the prevention, reduction or control of possible significant transboundary environmental impacts? Provide practical examples if available.*

No significant experience.

49. *How have you interpreted in practice the various terms used in the Convention, and what criteria have you used to do this? Key terms include the following: "promptly" (Art. 3.6), "a reasonable time" (Art. 3.2(c), Art. 4.2), "a reasonable time-frame" (Art. 5), and "major change" (Art. 1(v)). If you are experiencing substantial difficulties interpreting particular terms, do you work together with other Parties to find solutions? If not, how do you overcome the problem?*

There have been no difficulties in interpreting particular terms.

50. *Share with other Parties your experience of using the Convention. In response to each of the questions below, either provide one or two practical examples or describe your general experience. You might also include examples of 'lessons learned' in order to help others.*

a. *How in practice have you identified transboundary EIA activities for notification under the Convention, and determined the significance and likelihood of adverse transboundary impact?*

We believe that we have insufficient experience in the application of the Convention.

As we do not have any "good practice" to share at this time, we are not submitting any information for publication on the Convention web-site.

- b. *Indicate whether a separate chapter is provided on transboundary issues in the EIA documentation. How do you determine how much information to include in the EIA documentation?*

See 50a.

- c. *What methodology do you use in impact assessment in the (transboundary) EIA procedure (for example, impact prediction methods and methods to compare alternatives)?*

See 50a.

- d. *Translation is not addressed in the Convention. How have you addressed the question of translation? What do you usually translate? What difficulties have you experienced relating to translation and interpretation, and what solutions have you applied?*

See 50a.

- e. *How have you organized transboundary public participation in practice? As Party of origin, have you organized public participation in affected Parties and, if so, how? What has been your experience of the effectiveness of public participation? Have you experienced difficulties with the participation of your public or the public of another Party? (For example, have there been complaints from the public about the procedure?)*

See 50a.

- f. *Describe any difficulties that you have encountered during consultations, for example over timing, language and the need for additional information.*

See 50a.

- g. *Describe examples of the form, content and language of the final decision, when it is issued and how it is communicated to the affected Party and its public.*

See 50a.

- h. *Have you carried out post-project analyses and, if so, on what kinds of projects?*

See 50a.

- i. *Do you have successful examples of organizing transboundary EIA procedures for joint cross-border projects? Please provide information on your experiences describing, for example, any bilateral agreements, institutional arrangements, and how practical matters are dealt with (contact points, translation, interpretation, transmission of documents, etc.).*

See 50a.

- j. *Name examples of good practice cases, whether complete cases or good practice elements (e.g. notification, consultation or public participation) within cases. Would you like to introduce your case in a form of Convention's fact sheet?*

See 50a.

CO-OPERATION BETWEEN PARTIES IN 2003-2005

51. *Do you have any successful examples of how you have overcome difficulties arising from different legal systems in neighbouring countries?*

None arose.

EXPERIENCE IN USING THE GUIDANCE IN 2003-2005

52. *Have you used in practice the following guidance, recently adopted by the Meeting of the Parties and available on-line? Describe your experience of using these guidance documents and how they might be improved or supplemented.*

a. *Guidance on public participation in EIA in a transboundary context;*

The Guidance was used in practice.

b. *Guidance on subregional cooperation; and*

The Guidance was used in practice.

c. *Guidelines on good practice and on bilateral and multilateral agreements.*

The Guidance was used in practice.

CLARITY OF THE CONVENTION

53. *Have you had difficulties implementing the procedure defined in the Convention, either as Party of origin or as affected Party? Are there provisions in the Convention that are unclear? Describe the transboundary EIA procedure as applied in practice, where this has varied from that described in Part I or in the Convention. Also describe in general the strengths and weaknesses of your country's implementation of the Convention's transboundary EIA procedure, which you encounter when actually applying the Convention.*

The Convention works in practice.

AWARENESS OF THE CONVENTION

54. *Have you undertaken activities to promote awareness of the Convention among your stakeholders (e.g. the public, local authorities, consultants and experts, academics, investors)? If so, describe them.*

A training seminar has been held with the support of the Moldovan REC with participants from ministries, departments and the public.

55. *Do you see a need to improve the application of the Convention in your country and, if so, how do you intend to do so? What relevant legal or administrative developments are proposed or on-going?*

In order to improve the application of the Convention we believe it is necessary to supplement the existing legislative and regulatory framework and accommodate the Convention's provisions in bilateral agreements.

SUGGESTED IMPROVEMENTS TO THE REPORT

56. *Please provide suggestions for how the report may be improved.*

In our view, the report questions should be reduced to exclude repetitive questions and questions on how specific terms are understood ("reasonable alternatives", "reasonably obtainable information", etc.).