

MINISTRY OF ENVIRONMENT

Report of Republic of Moldova on the Implementation of the Compliance Committee's Decision VII/8n

General remarks

Through paragraph 3 (a) of decision VII/8n concerning the compliance of Republic of Moldova, the Meeting of the Parties to the Aarhus Convention has requested the Republic of Moldova to submit a plan of action, including a time schedule, to the Committee by 1 July 2022 regarding the implementation of the recommendations contained in that decision. The guidance provided by the Aarhus Convention Compliance Committee, which the Republic of Moldova received in 2022, serves as a crucial resource for the Republic of Moldova in comprehending the correct process for implementing a non-compliance decision.

This report details the actions carried out by the Ministry of Environment from 2022 to October 10, 2023, in relation to the execution of plan of actions for Decision VII/8n.

Proposed measures to fulfil recommendation stipulated in para. 2 (a) of the Decision VII/8n			
No	The name of measure	Degree of implementation of the measure	Description of the process by which the measure has been done
1.	Elaboration of the draft law on meteorological and hydrological activity instead of the existing normative act (Law no. 1536/1998).	DONE	<p>During the process of drafting the proposed normative act, was ensured adherence to the relevant procedural regulations aimed at ensuring transparency in decision-making, as stipulated in Law no. 239/2008 on transparency in decision-making, Law no. 100/2017 on normative acts, and Government Decision no. 610/2018, which approved the Government Regulation.</p> <p>To initiate public consultations on the Regulatory Impact Analysis (RIA) for the draft law concerning meteorological and hydrological</p>

			<p>activities, we made an announcement on the particip.gov.md portal on June 3, 2022.</p> <p>the Regulatory Impact Analysis (RIA) for the draft law, can be accessed at the following link: Link to RIA.</p> <p>The deadline for receiving suggestions and recommendations on the RIA for the draft law on meteorological and hydrological activity was set for June 17, 2022.</p> <p>On June 3, 2022, was published a notice regarding the initiation of the drafting process for the Law on meteorological and hydrological activity on the Ministry of Environment's website under the section "Decision-making transparency/Notices of initiation of the elaboration of decisions."</p> <p>Furthermore, on June 16, 2022, was disseminated the Regulatory Impact Analysis (RIA) to the Working Group responsible for developing the draft law on meteorological and hydrological activity. Simultaneously, was presented and distributed the initial draft of the proposed law.</p> <p>On May 24, 2023, an announcement was posted on the particip.gov.md portal, initiating public consultations for the draft law on meteorological and hydrological activity.</p> <p>On July 26, 2023, the Cabinet of Ministers provided a favorable opinion on the draft law regarding meteorological and hydrological activity.</p>
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			The next step in the process is for the draft law to be reviewed and approved in Parliament.
2.	Review of Government Decision No 330/2006 approving the nomenclature of services provided free of charge and against payment by the State Hydrometeorological Service and the use of special means of the State Hydrometeorological Service.	DONE	<p>The need to prepare the Draft Government Decision for the approval of the Methodology for calculating tariffs for services rendered, the Nomenclature and tariffs for services rendered against payment, and the Regulation on the manner of formation and use of revenues collected by the State Hydrometeorological Service was driven by several factors:</p> <ol style="list-style-type: none"> 1. Government's Action Plan for 2023 (Government Decision No. 90/2023): This plan outlines the development and approval of the Nomenclature of Climate Services as a key objective. 2. Law no. 98/2012 on Specialized Central Public Administration, Article 32, Paragraph (4): This legal provision mandates the Government to approve the methodology for calculating tariffs, the nomenclature of services, and the tariff amounts for services provided to individuals and legal entities by public institutions. 3. Action Plan for the Implementation of Decision VII/8n on Aarhus Convention Compliance (2022-2023): This plan, as approved by Order of the Ministry of Environment No. 61/2022, sets forth specific actions and obligations for ensuring compliance with the requirements of the Aarhus Convention. Among these actions, the preparation and approval of the mentioned methodology and regulations are likely necessary steps. <p>These combined factors underline the necessity and legal basis for the preparation and approval of the proposed Government Decision.</p> <p>The draft Government Decision implies the repeal of Government Decision No 330/2006 approving the nomenclature of services provided</p>

			<p>free of charge and against payment by the SHS and the way of using the special means of the SHS.</p> <p>Here's a summary of the key dates and links:</p> <ol style="list-style-type: none"> 1. Announcement for Draft Government Decision Preparation: <ul style="list-style-type: none"> • Initiated on: June 14, 2022 • Deadline: June 30, 2022 • Link to the announcement: Announcement Link 2. Notice of Public Consultations for Regulatory Impact Analysis (RIA): <ul style="list-style-type: none"> • Posted on: December 6, 2022 • Deadline for consultations: December 20, 2022 • Link to the notice: Consultation Notice Link <p>On July 12, 2023, in Chisinau, the Cabinet of Ministers approved the draft Government Decision concerning the Methodology for calculating tariffs for services rendered, the Nomenclature and tariffs for services rendered against payment, and the Regulation on how to form and use the revenues collected by the State Hydrometeorological Service (SHS).</p>
3.	Review of Government Decision No. 1467/2016 for the approval of the Regulation on public access to environmental information by establishing the principles of access to environmental information for reflection in national legislation, including access to primary data, principles of access to service use documents, including the determination of pricing principles in accordance with the Aarhus Convention and unambiguous	DONE	<p>In September 2023, the Ministry of Environment elaborated the draft Regulation on public access to information, justice, and participation in environmental decision-making.</p> <p>The draft Government Decision on approval of the Regulation on public access to information, justice, and participation in environmental decision-making implies the repeal of Government Decision No. 1467/2016 for the approval of the Regulation on public access to environmental information.</p>

	clarification of the concepts of "reasonable prices" for environmental information and ways of setting them.		The draft Regulation is set to be submitted for public consultation at the end of October.
Proposed measures to fulfil recommendation stipulated in para. 2 (a) of the Decision VII/8n			
5.	Conduct training courses for the State Hydrometeorological Service staff on the application of the methodology for service provision and tariff calculation for climate and hydrometeorological services and for the provision of hydrometeorological information as environmental information.	DONE	Between August and September 2022, the personnel of the State Hydrometeorological Service underwent a training course focused on the application of the methodology for service provision and tariff calculation for climate and hydrometeorological services, as well as for the provision of hydrometeorological information classified as environmental information. The training course included the participation of both economists and lawyers as trainers.
6.	Organisation of information sessions for the general public on the services provided by the State Hydrometeorological Service as well as their charging methodology.	DONE	<p>The information regarding the Methodology for calculating tariffs for services rendered, the Nomenclature and tariffs for services rendered against payment, and the Regulation on the manner of formation and use of revenues collected by the State Hydrometeorological Service was disseminated through various instrumental tools:</p> <ul style="list-style-type: none"> • Information notes were posted on the State Hydrometeorological Service website; • Announcement on the governmental page destined for public consultation particip.gov.md; <p>The beneficiaries of hydrometeorological services were informed, and the communication included methods such as email notifications from the State Hydrometeorological Service (SHS).</p>

7.	Information sessions with media representatives for the widest possible distribution of the services provided, charging method, etc.	IN PROCESS	
8.	Development and dissemination of a guide for public authorities on public access to environmental information.	DONE	<p>The "Defenders' Guide to a Healthy Environment" is a comprehensive resource dedicated to individuals and organizations advocating for a protected and healthy environment, including public authorities. This guide is structured into eight chapters, covering various aspects related to environmental protection and the rights of environmental defenders. Here's a brief overview of the guide's contents:</p> <ol style="list-style-type: none"> 1. Regulatory framework: explains the international and national legal frameworks related to environmental protection. 2. Environmental defenders profile: discusses the characteristics and roles of environmental defenders. 3. Environmental information: covers topics related to environmental data and the state of the environment. 4. Competent authorities: details the responsible authorities for enforcing and penalizing violations of environmental laws. 5. Protection of the human right to a healthy environment: explores national mechanisms for safeguarding the right to a healthy environment. 6. International mechanisms: discusses international mechanisms ensuring the right to environmental information, participation in decision-making, and access to justice. 7. ECHR protection: Explains mechanisms within the European Convention on Human Rights (ECHR) for safeguarding the right to a healthy environment.

			<p>8. Protection of defenders: Addresses mechanisms for protecting those who defend the human right to a healthy environment.</p> <p>The guide also includes conclusions and recommendations on methods and strategies for protection and security, as well as providing model requests for environmental information, model applications for legal action, and model petitions.</p> <p>For access to the "Defenders' Guide to a Healthy Environment," please follow the provided link: Link to the Guide.</p>
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