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the European Union

EU4Environment
Green Economy in Eastern Partner Countries

Training Workshop on EIA in the Republic of Moldova

28 February 2024,
9.00-13.00 (Chisinau EEST)

Training Report

Action implemented by:



Abbreviations

EIA	Environmental Impact Assessment
OECD	Organisation for Economic Co-operation and Development
SEA	Strategic Environmental Assessment
TG	Technical Commission
UNECE	United Nations Economic Commission for Europe
UNEP	United Nations Environment Programme
UNIDO	United Nations Industrial Development Organization

Background

Within the framework of the European Union-funded EU4Environment programme (2019-2024), UNECE is assisting the Eastern Partnership countries, including the Republic of Moldova, in comprehensive capacity-building and institutional building on Strategic Environmental Assessment (SEA) and transboundary Environmental Impact Assessment (EIA) and in finalizing legal reforms in this area.

In the Republic of Moldova, the amendments of the Law on EIA entered into force in October 2023 expecting to improve the legal framework for the development of a sound practice and strengthening of the overall institutional capacities for environmental impact assessment application. Also, with the UNECE assistance under the EU4Environment, the draft Regulation on the organization and functioning of the Technical Commission for quality review of the environmental impact assessment report was developed at the end of 2023. Therefore, the Ministry of Environment of the Republic of Moldova requested further support to organize the training to explain the main requirements stipulated by the national EIA legislation and the key steps in the EIA procedure.

The training workshop therefore served as a platform for the discussion on the key issues related to the effective EIA practice and on how to address potential challenges related to the EIA procedure outlined in the amended Law and the related Regulation. The workshop was facilitated by the national and international consultants to the UNECE.

The “European Union for Environment” Action helps the Eastern Partnership countries preserve their natural capital and increase people's environmental well-being, by supporting environment-related action, demonstrating and unlocking opportunities for greener growth, and setting mechanisms to better manage environmental risks and impacts. It is funded by the European Union and implemented by five Partner organisations - OECD, UNECE, UNEP, UNIDO, and the World Bank – over 2019-2024 period, with a budget of EUR 20 million.

Training objectives

- To promote sound application of the EIA (including transboundary EIA) in the Republic of Moldova in line with the European Union’s Directive on EIA and the Espoo Convention
- To introduce the amended Law on EIA, its main requirements and the key steps in the EIA procedure
- To increase understanding of the participants on the principles of the effective EIA application and to discuss how to address potential challenges related to the EIA practice.

Approach and methodology

The event was organized online through the Zoom platform. English and Romanian were the training languages, and English-Romanian simultaneous interpretation was provided.

The training was divided into two main parts in line with the above objectives. Part 1 was – after providing a short introduction to the EIA – dedicated to the national legal framework for EIA in Moldova, explaining the main requirements, key stages in the EIA procedure, relevant authorities and other main actors. The second part was subdivided into a series of short presentations covering the main stages of the EIA process and addressing potential challenges related to the implementation of a given stage. The final presentation focused on the practical aspects associated with the effective EIA application, including the transboundary consultations. The room for the questions was provided after each presentation.

All presentations and the agenda can be found at <https://unece.org/info/Environmental-Policy/events/388461>.

Summary of the training outcomes

The training workshop gathered 60 participants from the Ministry of Environment and other central governmental authorities, as well as the representatives of the district authorities and the environmental practitioners and experts from the environmental consulting companies active in the field of environmental assessment.

The following key topics were addressed and discussed:

The event was opened by **Mrs. Iordanca-Rodica Iordanov, Minister of Environment**, who welcomed the participants and emphasized the benefits of effective implementation of EIA in the country as one of the leading environmental and health protection tools. Mrs. Iordanov highlighted that the support from UNECE considerably increased the Ministry of Environment and Environmental Agency's capacities in applying the EIA procedure and provided a solid basis for other central authorities and stakeholders to both handle and follow the EIA procedure.

EU4Environment **Project Manager at UNECE, Mr. Leonid Kalashnyk**, in his welcoming speech, endorsed the achievements of the Republic of Moldova in the field of EIA, in particular the recent adoption of amended Law on EIA and Regulation of the Technical Commission. Further in his statement, Mr. Kalashnyk highlighted the importance of the EU4Environment Programme to address needs identified by the Republic of Moldova for further capacity building for the effective EIA and SEA application and outlined the past and current activities undertaken by UNECE under the EU4Environment to assist the country in this area.

Following these introductory remarks, Ms. Natalia Guranda, National Consultant to UNECE, and Mr. Martin Smutny, International Consultant to UNECE, presented the agenda. Mr. Martin Smutny made a short general introduction to EIA, explaining why there is a need for EIA and the objectives and fundamental principles of its practical application. He also mentioned the main actors involved in the EIA and their tasks and responsibilities. It highlighted the importance of the procedure, especially for the authorities responsible for issuing the permitting documents for activities that fall under the EIA Law.

In the following presentation, **Ms. Angela Panciuc, Interim Head**, Department of Pollution Prevention Policies, Ministry of Environment, informed the auditorium about the current status of the EIA in the Republic of Moldova, including the existing legal framework, i.e., the amended Law on EIA and the Order of the Ministry of Environment on the organization and functioning of the Technical Commission for quality review of the EIA report.

Mr. Jerzy Jendroška, International Legal Expert, presented in detail the EIA procedure according to the amended Law on EIA. It explained the need for and aims of the amendment, its structure, and the key concepts. For each main stage, the legal requirements and detailed procedural aspects were addressed using the scheme of the preliminary assessment and a full assessment. Mr. Jendroška also covered the topics of public participation and the transboundary EIA procedure. In the following discussion, the participants raised questions about the role and functioning of the Technical Commission (TC) and the approaches to quality control used in EU countries. One of the participants' specific inputs referred to the local authorities' role and when and how they should be involved. Also, a particular interest represented the exchange of information between the members of the TG. Mr. Jerzy addressed both questions, explaining the focus put by various countries on decisions regarding EIA – and the role of the local authorities to ensure that the public is informed, has access to information, and is part of the decision-making at the national level. Regarding the TC and interactions between the members, Mr. Jerzy mentioned that the national Law in Moldova does not regulate this aspect in detail and provided some examples from the EU and how the practice is on communicating between TG members in order to elaborate an opinion vis a vis the quality of the EIA Report.

After the short break, **Mr. Martin Smutny, International Consultant to UNECE**, presented the topic of the preliminary assessment, starting with its purpose to (i) identify projects with likely significant environmental impacts and (ii) get initial feedback on the planned activity through consultations with public concerned and central and local public administration authorities. Mr. Martin explained the tasks of the project initiator and the Environment Agency and the context of the information to be submitted for preliminary assessment. One of the topics addressed by participants refers to the activities that do not fall under the EIA or have lower thresholds not included in Annex 1 and Annex 2 of the EIA Law. It was explained that if an activity does not fit under the activities described under Annex 1 and Annex 2, then an EIA is not needed. Still, the project and initiator will follow to comply with other permitting documents required for the current activity. This is not part of the EIA; it is just a matter of development and is specific to the national law in permitting procedures outside of the EIA scope.

Mr. Michal Musil, International Consultant to UNECE, continued presenting the EIA program as the next step in the EIA procedure. He provided that the purpose of the EIA program is to determine the level of detail of the information to be included in the EIA report, in other words, to determine the 'scope of assessment' (including 'scope of biodiversity assessment'). The EIA program should also consider reasonable and feasible alternative options and consider all phases of the project – its construction, operation, and decommissioning. At the end of the presentation, the scope statement for the wind power plant in Trebom, Czech Republic, was introduced as a case example. Ms. Natalia

Guranda then summarized the legal requirements, terms that should be respected, and the roles and responsibilities of each institution separately.

The next session continued with presenting the EIA report and its quality analysis, which Mr. Martin Smutny made. He emphasized that the EIA report shall identify, describe, and evaluate the likely significant direct and indirect impacts of the planned activity on the relevant factors (according to Art. 10.2.1 of the Law on EIA). It has to be reliable, accurate, complete, and up to date, summarizing all analyses, findings, and conclusions and reflecting feedback from consultations from previous EIA stages. The EIA report is subject to public consultations and to quality control, which – according to the Guidelines on Quality Control of EIA Documentation for the Republic of Moldova, Including Guidance for the Transboundary EIA process (UNECE, August 2023) – is to be carried out by the Technical Commission. One specific intervention was of **Mrs. Punga, State Secretary of the Ministry of Environment**, who explained in detail who are the members of the TG, what are the roles of the TG, regulations based on what regulations the TG will function the Guidelines as well that will support the TG on evaluating the quality of the EIA Report. The session was followed by interactive discussions with the participants addressing questions and comments, facilitated by Ms. Natalia Guranda. One specific concern raised by participants referred to the selection of the members of TG. The national consultant explained that the members would be selected based on the criteria foreseen in Law 86 on EIA; more precisely, based on, *“the members of the Technical Commission have higher education, demonstrated experience and recognized activity in the field of competence, including in the environmental field.”*

Mr. Michal Musil presented the post-project analysis and monitoring as the next stage of EIA, which purpose is to monitor and evaluate the actual environmental impacts of projects, including:

- Verification of the compliance with the regulatory requirements;
- Evaluation of the effectiveness of mitigation measures and verifying past predictions to provide feedback to improve EIA practice in the future; and
- Taking actions (if needed) to address any unanticipated adverse impacts.

Mr. Musil compared the monitoring and post-project analysis requirements stipulated by the EU EIA Directive and the Espoo Convention. He explained that monitoring has to be ensured by the project initiator. In contrast, the monitoring measures have to be elaborated on in the EIA report, and the monitoring has to cover all project stages (construction, operation, decommissioning). He also emphasized the necessity to coordinate monitoring activities with the Environmental Agency and other relevant authorities. Ms. Natalia Guranda then summarized the legal requirements and facilitated the discussion.

In his presentation on the practical aspects related to EIA, Mr. Martin Smutny covered topics of coordination between the EIA experts and the project initiator and the technical experts developing the project design, tasks to be ensured by the EIA experts, and the legal requirements on their

qualification, composition of the EIA team, budgetary aspects, and issue of the transboundary consultations. Ms. Natalia Guranda then facilitated the discussion.

Ms. Natalia Guranda, Ms. Angela Panciuc, and Mr. Leonid Kalashnyk made the concluding remarks.

Conclusions

The training workshop succeeded in raising awareness of the participants about the EIA in general, as well as about the recent development in the field of EIA in the Republic of Moldova and the legal requirements stipulated by the amended Law on EIA. It addressed the main stages of the EIA procedure, which allowed participants to relate the content of the training with the implementation of EIA. Their active participation in the discussions focused mainly on the practical aspects and potential challenges of the EIA application.

Acknowledgments

The training was prepared by the UNECE secretariat to the Espoo Convention and its Protocol on SEA and in coordination of the Ministry of Environment of the Republic of Moldova. The event was facilitated by Ms. Natalia Guranda, National Consultant to UNECE.

Annex 1: Training Workshop Agenda

Training Workshop on EIA in the Republic of Moldova

28 February 2024,
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DRAFT AGENDA

Moderator: Natalia Guranda, National Consultant to UNECE

Time (Chisinau)	Item
08:45 – 09:00	Connection testing
09:00 – 09:15	Opening and welcome remarks <ul style="list-style-type: none"> • Mrs. Iordanca-Rodica Iordanov, Minister of Environment • Representative of the EU Delegation to the Republic of Moldova (tbc) • Mr. Leonid Kalashnyk, EU4Environment Project Manager, United Nations Economic Commission for Europe (UNECE)
09:15 – 09:30	Meeting objectives and agenda, introduction of participants <ul style="list-style-type: none"> • Facilitated by Mr. Martin Smutny and Ms. Natalia Guranda, consultants to UNECE
09:30 – 09:45	Introduction to EIA – purpose and objectives, main principles of effective application, international legal framework <ul style="list-style-type: none"> • Mr. Martin Smutny, Consultant to UNECE
09:45 – 10:00	Current status of EIA application in the Republic of Moldova: legal framework, existing guiding documents, relevant authorities and other main actors <ul style="list-style-type: none"> • Ms. Mariana Petreanu, consultant, Dpt Pollution prevention policies, Ministry of Environment
10:00 – 10:45	Amended Law on EIA – main requirements, key stages of EIA procedure <ul style="list-style-type: none"> • Mr. Jerzy Jendroška, International legal expert
10:45 – 11:00	Q&A to the amended Law on EIA <ul style="list-style-type: none"> • Facilitated by Mr. Martin Smutny and Ms. Natalia Guranda, consultants to UNECE
11:00 – 11:10	Break
11:10 – 11:30	Main steps in EIA: Preliminary assessment – purpose, results, tasks of the main actors, recommendations for practice <ul style="list-style-type: none"> • Initial presentation by Mr. Martin Smutny and Mr. Michal Musil, consultants to UNECE • Q&A facilitated by Ms. Natalia Guranda, consultant to UNECE

11:30 – 11.50	<p>Main steps in EIA: Environmental impact assessment program – purpose, results, tasks of the main actors, recommendations for practice</p> <ul style="list-style-type: none"> • Initial presentation by Mr. Martin Smutny and Mr. Michal Musil, consultants to UNECE • Q&A facilitated by Ms. Natalia Guranda, consultant to UNECE
11:50 – 12.10	<p>Main steps in EIA: Preparation of EIA report and its quality analysis – purpose, results, tasks of the main actors, recommendations for practice</p> <ul style="list-style-type: none"> • Initial presentation by Mr. Martin Smutny and Mr. Michal Musil, consultants to UNECE • Q&A facilitated by Ms. Natalia Guranda, consultant to UNECE
12:10 – 12:30	<p>Main steps in EIA: Post-project analysis – purpose, results, tasks of the main actors, recommendations for practice</p> <ul style="list-style-type: none"> • Initial presentation by Mr. Martin Smutny and Mr. Michal Musil, consultants to UNECE • Q&A facilitated by Ms. Natalia Guranda, consultant to UNECE
12:30 – 12:50	<p>Practical aspects – coordination between EIA and project development, composition of EIA team, budget and timeline, etc.</p> <ul style="list-style-type: none"> • Initial presentation by Mr. Martin Smutny and Mr. Michal Musil, consultants to UNECE • Q&A facilitated by Ms. Natalia Guranda, consultant to UNECE
12:50 – 13:00	<p>Concluding remarks</p> <ul style="list-style-type: none"> • Ms. Angela Panciuc, Acting Head, Dpt Pollution Prevention Policies, Ministry of Environment • Mr. Leonid Kalashnyk, EU4Environment Project Manager, United Nations Economic Commission for Europe (UNECE) <p>Closure of the event</p>

Annex 2: List of participants

Training Workshop on EIA in the Republic of Moldova

List of Participants

28 February 2024,
9.00-13.00 (Chisinau EEST)



Training Workshop on EIA in the Republic of Moldova

28 February 2024,
9.00-13.00 (Chisinau EEST)

LIST OF PARTICIPANTS

Total participants – 60

Female participants –40

	Name, Surname	Job Title	Email
1.	Mr. CUCOS Andrei	Head of the Policy Directorate in the field of atmospheric air protection, Ministry of Environment	andrei.cucos@mediu.gov.md
2.	Mr. OBOROC Igor	Chief of Agriculture Service, Ocnita District Council	oboroc.igor18@mail.ru
3.	Mr. PROCA Dumitru	Main specialist, Apele Moldovei Agency	dima.proca@apele.gov.md
4.	Mr. REVENCO Ion	Vice President of the Calarasi District Council	ionrevenco25@gmail.com
5.	Mr. TENTIUC Daniel	Main Consultant, Ministry of Environment	daniel.tentiuc@mediu.gov.md
6.	Mrs. DASCAL Lionela	Main consultant, Ministry of Environment	carolina.ereimei@mediu.gov.md
7.	Mrs. EREMEI Carolina		
8.	Mrs. EVSTRATII Lilia	Main specialist, District Council Edinet	directiaconstructiiedinet.cr@mail.ru
9.	Mrs. GUTU Maia	Main consultant, Ministry of Environment	maia.gutu@mediu.gov.md
10	Mrs. LUNGU Marina	Main consultant, Ministry of Environment	marina.lungu@mediu.gov.md
11	Mrs. PANCIUC Angela	Interim Head, Dpt, Pollution Prevention Policies, Ministry of the Environment	angela.panciuc@mediu.gov.md
12	Mrs. RADUCAN Daniela	Chief of section, Agency for Geology and Mineral Resources	directia.geologica@agrm.gov.md
13	Mrs. MIRZA Mariana	Main Consultant, Ministry of Environment	marianarosca999@gmail.com
14	Mrs. BOTNARIUC Alina	Chief of section, Inspectorate for	alina.botnariuc@ipm.gov.md

		Environmental Protection	
15	Mrs. TOPALA Rodica	Agriculture specialist, Cahul District Council	rodicatopal8@gmail.com
16	Mrs. LAPTEANU Maria	Project Manager, PA EcoContact	Maria.lapteanu@ecocontact.md
17	Mrs. CUPCEA Larisa	Sustainable Procurement Consultant, EcoContact	larisa.cupcea@ecocontact.md
18	Mrs. COJUHARI Viorica	Main Consultant, Ministry of Economic Development and Digitalization	viorica.cojuhari@mded.gov.md
19	Mrs. TATARU Ecaterina	Main specialist, Environmental Agency	e_tataru@am.gov.md
20	Mrs. CATER Aurelia	Main specialist, Environmental Agency	a_cater@am.gov.md
21	Mr. BURDUJA Anatolie	Main specialist, Environmental Agency	a_burduja@am.gov.md
22	Mrs. DOROSENCO Mariana	Main Consultant, Ministry of Infrastructure and Regional Development	mariana.dorosenco@midr.gov.md
23	Mrs. CAZAC Adelina	Chief of Dpt, Cimislia District Council	economie.cimislia@gmail.com
24	Mr. ANTOFICA Andrei	Main Consultant, Ministry of Agriculture and Food Industry	andrei.antofica@maia.gov.md
25	Mrs. TIMUS Daniela	Consultant, SE "State Administration of Roads"	daniela.timus@asd.md
26	Mr. BURLACU Anatolie	Environmental Expert, Consolidated Unit for the Implementation and Monitoring of Projects in the field of Energy	anatol.burlacu@mepiu.md
27	Mrs. PRICOP Lilia	Main Consultant, Drochia District Council	pricopliliaa@gmail.com
28	Mrs. ROTARU Ala	Environmental Expert, Consolidated Unit for the Implementation and Monitoring of Projects in the field of Energy	ala.rotaru@mepiu.md
29	Mrs. IORGA- ACCIU Efrosinia	Chief architect, Cahul District Council	auracroitoru2015@gmail.com

30	Mrs. VIRLAN Ludmila	Chief of service, SE "State Administration of Roads"	ludmila.virlan@asd.md
31	Mr. VLADICESCU Veaceslav	Manager, EcoExpert	vladicescu@ecoexpert.md
32	Mr. ILESCU Tatiana	Project Manager, EcoExpert	tatiana@ecoexpert.md
33	Mr. COJOCARI Alexandru	Chief of dpt, Apele Moldovei Agency	alexandru.cojocari@apele.gov.md
34	Mrs. DABIJA Tatiana	Head of the Center for Forecasts and Warnings, State Hydrometeorological Service	tatiana.dabija@meteo.gov.md
35	Mrs. MARIAN Lidia	Main specialist, Apele Moldovei Agency	lidia.marian@apele.gov.md
36	Mr. KALASHNYK Leonid	EU4Environment Project Manager, UNECE	leonid.kalashnyk@un.org
37	Mr. SITMATOV Rustam	Specialist, General Inspectorate for Emergency Situations	rustam.sitmatov@igsu.gov.md
38	Mr. SMUTNY Martin	International Consultant, UNECE	martin.smutny@integracons.com
39	Mrs. KASHINA Elena	Programme Management Assistant, UNECE	elena.kashina@un.org
40	Mr. MUSIL Michal	International Consultant, UNECE	michal.musil@integracons.com
41	Mr. TABACARI Nicolae	Specialist agriculture, land relations and cadastre, Straseni District Council	nicolaetabacaru@gmail.com
42	Mrs. GURANDA Natalia	National Consultant UNECE	Natalia.guranda@ecocontact.md
43	Mrs. CAZACU Anna	Lawyer, PA EcoContact	Anna.cazacu@ecocontact.md
44	Mrs. IORDANCA -Rodica Iordanov	Minister of Environment, Ministry of Environment	iordanca-rodica.iordanov@mediu.gov.md
45	Mr. LUNGU Igor	Deputy Director, Agency for Geology and Mineral Resources	director.adjunct@agrm.gov.md
46	Mrs. GRIGARAVICIENE Justina	EU High-Level Adviser on Environment and Green Transition	justina.grigaraviciene@eu-advisers.md

		Ministry of Environment of the Republic of Moldova	
47	Mr. ISAC Andrei	National Coordinator, EU4Environment Project in Moldova	Andrei4environment@gmail.com
48	Mr. RARU Vasile	Specialist, Cahul District Council	agricultura.cahul@gmail.com
49	Mr. JENDROSKA Jerzy	International Consultant, UNECE	jerzy.jendroska@jib.com.pl
50	Mrs. CORNELIA Eremia	Chief of service, Agency of geodesy, cartography and cadastre	cornelia.eremia@agcc.gov.md
51	Mrs. MINCU Georgeta	Agency of geodesy, cartography and cadastre	georgeta.mincu@agcc.gov.md
52	Mrs. SLUSARENCO Mariana	Main specialist, Calarasi District Council	consiliu@calarasi.md
53	Mr. MADAN Vladimir	Consultant, Ministry of Environment	Vladimir.madan@mediu.gov.md
54	Mrs. CAMERZAN Ala	Assistant to the EU High Level Adviser in Moldova	ala.camerzan@eu-advisers.md
55	Mrs. PUNGA Irina	State Secretary, Ministry of Environment	Irina.punga@mediu.gov.md
56	Mr. STEGARESCU Vasile	Researcher, Institute of Geography and Ecology of the Moldova State University	stegarescu1@gmail.com
57	Mrs. ARDELEANU Viorica	Secretary, Rogojeni City Hall	primaria.rogojeni2003@gmail.com
58	Mrs. GHERCEAC Irina	Main Consultant, Ministry of Labour and Social Protection	irina.gherceac@social.gov.md
59	Mrs. POPRIAC Rodica	Specialist, State Inspectorate for Environmental Protection	eco_ipm@ipm.gov.md
60	Mrs. POPA Stella	Consultant, Ministry of Environment	Stella.popa@mediu.gov.md