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EU4Environment
Green Economy in Eastern Partner Countries

**Training workshop event on
Quality Control of SEA and EIA Documentation in the Republic of Moldova**

**Wednesday, 24 May 2023
13.00 – 17:00 (Chisinau, EEST)**

Workshop Report

This workshop was delivered as virtual event using Zoom platform. All invited participants received connection details to access the platform.

Action implemented by:



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Background

Within the framework of the European Union-funded EU4Environment programme (2019-2023), 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.

The effectiveness and efficiency of the application of SEA and EIA in Moldova need to be further enhanced, and the relevant Law amendments that will enter into force in October 2023 for SEA and in November 2023 for EIA are expected to improve conditions for the development of sound practice and strengthening of the overall institutional capacities for environmental assessment application.

Among the relevant changes applicable as of October-November 2023 is also a component related to the Quality Control of both SEA and EIA (including in a transboundary context). For that purpose, the Ministry of Environment of the Republic of Moldova requested support from the UNECE to elaborate two Guidelines. The Guidelines will assist those performing the control of quality for the SEA documentation and for the EIA documentation respectively, as well as serving as a guiding tool for the initiators and other stakeholders participating in the EIA and SEA processes.

Currently, the draft Guidelines for Quality Control of SEA and EIA are in the process of finalization. The workshop will therefore serve as a platform for the discussion on the most significant issues related to the effectiveness of the EIA and SEA processes, as well as for the training for the practical application of the envisaged quality control mechanism including the use of the newly developed Guidelines. The workshop will be facilitated by experts/consultants to UNECE.

Meeting objectives, expected outputs, and outcomes

The main objectives of the workshop are:

- To promote sound application of the SEA and EIA (including transboundary EIA) in the Republic of Moldova in line with the European Union's Directives on SEA and EIA, the Espoo Convention, and the UNECE Protocol on SEA
- To provide initial training on the envisaged quality control mechanisms for SEA and EIA
- To leverage discussion on the application of the amended Law on EIA and of the amended Law on SEA in relation to the Quality Control
- To introduce the complete draft Guidelines for Quality Control and receive inputs for their finalization.

Approach and Methodology

In line with the above objectives, and taking into consideration new amendments to the Laws on SEA and EIA in the Republic of Moldova which are coming into force in October and November 2023 respectively, the Workshop was organized based on the following approach.

The meeting gathered together the key stakeholders likely to be involved in the preparation of plans and programs subject to SEA (line ministries and agencies), as well as environmental authorities responsible for SEA and EIA process. More than that, the meeting was attended by the officials whose entities are expected to be engaged in the Experts Committee and Technical Committee responsible for the Quality Control of SEA and EIA documentation. Finally, the academia and research institutions that mainstream SEA and EIA courses in their program studies also took part in the workshop .

The workshop has been designed as follows:

- I. Introduction of the current legal framework on EIA and SEA in the Republic of Moldova, and main amendments to the Laws that will enter into force in autumn 2023.
- II. Presentation of the draft Guidelines on Quality Control of EIA Documentation (EIA QC Guidelines), including a transboundary procedure
- III. Presentation of the draft Guidelines on Quality Control of SEA Documentation (SEA QC Guidelines).
- IV. Discussion on the Functions and Responsibilities of the new Commissions responsible for EIA and SEA Quality Control mechanisms.

Summary of the Workshop Outcomes

On 24 May 2023, the first event dedicated to the Quality Control of EIA and SEA documentation focused mainly on the new Guidelines drafted by the UNECE consultants in line with the new amendments to the Law 86/2014 on Environmental Impact Assessment and Law 11/2017 on Strategic Environmental Assessment.

The event gathered 40 participants from various national and regional institutions (authorities), including academia, research institutions, NGOs, experts, etc.

The training workshop was opened by the Minister of Environment, **Mrs. Iordanca-Rodica IORDANOV**, who highlighted the importance of having a control mechanism for both procedures (EIA and SEA), especially in light of a growing number of various activities requiring the environmental assessment. Having discussed during the Workshop, the draft Guidelines are likely to be formally approved through the Ministerial Order or the Governmental Decision. The Minister highlighted that the document would constitute an interpretative tool to be used by both, the competent authorities and the new technical commissions on the EIA and SEA

quality control, to ensure the compliance of the procedure with the legal requirements and to improve the quality of the environmental report.

Mrs. Matilda HALLING, Programme Officer, Environment, Delegation of the European Union to the Republic of Moldova, underlined that the recent legal amendments on SEA and EIA represented the full transposition of the EU Directives; that affirms a commitment by the Republic of Moldova included in its Association Agreement with the European Union. Now, with the status of a candidate country, the Republic of Moldova needs to strengthen further its environmental legal framework, including the implementation tools and instruments, such as, for example, the Quality Control Guidelines presented today.

Mr. Leonid KALASHNYK as Project Manager for the EU4Environment program at UNECE, welcomed all participants and expressed sincere gratitude to the EU for continuous support under the EU4Environment within which UNECE is organizing the workshop in collaboration with the Ministry of Environment. The UNECE Protocol on SEA and Espoo Convention together with EU Directives provide robust legal and institutional frameworks to help the country recover and make the economy greener.

Since many years, UNECE has been delivered a wide range of technical assistance and capacity-building activities for both EIA (including in a transboundary context) and SEA in support of the Republic of Moldova and other Eastern European countries and the Caucasus. Since 2019, the assistance has been provided by UNECE with the support of the EU4Environment program aiming to help the Eastern Partnership countries preserve their natural capital and increase people's environmental well-being.

In the Republic of Moldova, the program responds to the need for legislative support in enhancing environmental framework, and the capacity building in practical application of SEA and transboundary EIA. The workshop, in particular, aimed at supporting the Republic of Moldova in establishing a more effective quality control mechanism for SEA and EIA and a more robust framework and Quality Control will be put in place as a result of the amendments of the Laws that have been performed last year with the support of the EU4Environment.

Presentation and discussions within the training workshop :

The first presentation was given by **Ms. Maria Nagornii**, head of the Pollution Prevention Policies Department from the Ministry of Environment. She focused on the legal requirements and existing Guidance in performing SEA and EIA in the Republic of Moldova, including the main changes that occur with amendments of the Laws starting with October and November 2023. Ms. Nagornii highlighted that, in accordance with these amendments, the ecological expertise is no longer being performed (cancelled as a procedure) in the country, and that another mechanism appears in order to assess the quality of the procedure and quality of reports – the quality Control mechanism.

Ms. Nagornii together with a local legal expert **Ms. Irina Punga** answered the main questions of the workshop participants. In particular, the additional information provided regarding the

procedure that had replaced an ecological expertise. It was clarified that the activities with insignificant environmental impact would pass the Preliminary Assessment only. According to article 9 of the Law 86/2014 on EIA, the decision on the preliminary assessment together with the environmental permit may determine a set of conditions, measures to be respected by the initiator during the implementation of the planned activity, operation, etc.

The following presentation has been given by **Mr. Musil Michal**, International expert of UNECE, about the work done in support of the Ministry of Environment of the Republic of Moldova to develop the **Guideline on Quality Control of EIA documentation**. Mr Musil highlighted that currently the Guidelines were being finalized, and would be approved by the Ministry as official documents to facilitate the work of the competent authority and the newly created Commissions responsible for the quality assessment.

The Guideline on QC of EIA provides checklists on quality control in two steps. The first step is a fast quality control; it's performed to identify whether the submitted EIA Report contains all required components, and that the submission or the previous EIA steps do not suffer from some formal flaw compromising the whole EIA process and thus rendering the subsequent detailed quality review by the Technical Committee purposeless. The second step refers to a substantial examination of an EIA Report, in particular, the content of the received EIA Report together with the content of the respective environmental assessment program.

Besides, the Guideline contains a checklist concerning a Transboundary EIA procedure. The document provides with a set of references to national and international sources, including regarding the preparation of the EIA Report.

Further, Mr Musil has presented the draft **Guideline on Quality Control of SEA Documentation**. He provided the detailed recommendations to the context and format of the qualitative EIA Report.

The SEA Quality Control Guideline also contains the checklists that both, a competent authority and a commission, can follow to evaluate the quality of the entire procedure and, in particular, the SEA report itself. In the case of the SEA Quality Control Guideline, there have been provided check questions with rationales to each of them, this way helping in understanding why this information should be included and to what extent.

Ms. Irina Punga, national Legal Expert to UNECE, made a presentation on the ***function and responsibilities of the new Commissions in charge of the EIA and SEA Quality Control mechanism***. Ms. Punga explained that the quality of the SEA documentation will be checked by the Expert Committee, and the quality of the EIA documentation - by the Technical Committee. These two committees will be created through the order of the Minister of Environment and will exercise their functions based on the existing Regulation approved through the Minister's order as well. Further, she provided the list of institutions, taking part in these committees, and clarified the procedure of nomination of respective representatives, as required by the Law. Ms Punga also highlighted that both committees would be able to request for an external

assistance/expertise by national or international consultants, academia, and NGOs on a specific matter, where appropriate.

During the event **there was a discussion regarding** some provisions in the Law as to what planned public policies the SEA should be followed. Nevertheless, almost in all cases, the preliminary assessment should be carried out in order to understand the necessity for a full-scale SEA procedure.

Mr. Kalashnyk highlighted that a draft **Guidance on assessing health impacts in strategic environmental assessment** was still in the process to be finalized. It is a complex area that requires understanding and expertise in many countries.

The event **have been closed** by Mr. Leonid Kalashnyk concluding the workshop provisions and discussions. Mr. Kalashnyk acknowledged the importance of work carried out over the last years in order to amend the Law on EIA and Law on SEA, and admitted also the need for significant efforts that still needs to be made further.

About EU4Environment

The “European Union for Environment” (EU4Environment) aims to help the five partner countries: Armenia, Azerbaijan, Georgia, the Republic of Moldova, and Ukraine preserves 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.

The Action is funded by the European Union and implemented by five Partner organizations: OECD, UNECE, UNEP, UNIDO, and the World Bank based on a budget of some EUR 20 million. The Action implementation period is 2019-2024.

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