

Questionnaire for the

**REPORT OF THE REPUBLIC OF MOLDOVA ON
THE IMPLEMENTATION OF THE CONVENTION ON
ENVIRONMENTAL IMPACT ASSESSMENT IN A
TRANSBOUNDARY CONTEXT**

in the period 2010–2012

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

In this part, please provide the information requested, 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 describe the framework for your country's implementation, and not experience in the application of the Convention.

Article 2

General Provisions

1. *List the general legal, administrative and other measures taken in your country to implement the provisions of the Convention (art. 2, para. 2).*

Government adopted the draft new Law on the Environmental Impact Assessment (Law on EIA)

Indicate any further measures to implement the provisions of the Convention that are planned for the near future.

Amendments 1 and 2 to the Espoo Convention are planned to be adopted in 2013/2014.

3. *List the different authorities that are named responsible for the implementation of the EIA procedure in the transboundary context and domestically.*

Ministry of Environment

4. *Is there an authority in your country that collects information on all the transboundary EIA cases? If so, please name it.*

Ministry of Environment

5. *Does your country have special provisions for transboundary EIA procedures for joint cross-border projects (e.g., roads, pipelines)?*

The national legislation lacks the specific provisions on a transboundary EIA procedure for joint projects. The Law on EIA in its Article 11(6) says that “in case when the implementation of the joint activities is planned (construction of motorway, pipeline etc.), the Parties shall agree on the procedures for the environmental impact assessment and on the preparation of the documentation on the environmental impact assessment...”

IDENTIFICATION OF A PROPOSED ACTIVITY REQUIRING ENVIRONMENTAL IMPACT ASSESSMENT UNDER THE CONVENTION

6. *Is appendix I to the Convention transposed fully into your country's national legislation? Please describe any differences between the national list and appendix I to the Convention.*

Yes, Appendix I to the Convention is fully transposed into the national legislation.

7. *Does your country's legislation already cover fully the revised appendix I in the second amendment (ECE/MP.EIA/6, decision III/7)?*

The national legislation fully covers the revised Appendix I.

PUBLIC PARTICIPATION

8. *How does your country, 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 country's public as required in article 2, paragraph 6?*

Equal opportunity given to the public of both Parties to participate in the EIA procedures is achieved through providing the access to notification on the proposed activity, the EIA Documentation in equal scope and unique established period, as well as providing the opportunity to express opinion with regards to these documents.

Article 3

Notification

QUESTIONS TO PARTY OF ORIGIN

9. *Describe how your country determines when to send the notification to the affected Party, which is to occur "as early as possible as and no later than when informing its own public".*

On the basis of the application made by the initiator (developer) (developer) of the proposed activity the Ministry of Environment (the Competent Authority) shall carry out the preliminary assessment, which resulted in determination of the necessity in the EIA either in a transboundary context, or at the national level. If the Competent Authority identifies that the proposed activity is likely to have a transboundary impact, the EIA procedures shall apply accounting the opinions of the affected Parties. In this case the initiator (developer) (developer) is obliged to develop the notification and provide it to the Competent Authority. The Competent Authority shall submit the notification to the affected Party and inform the relevant authorities and public at the national level.

10. *Indicate whether and how the following provisions are reflected in your national legislation:*

- a. *The stage in the EIA procedure when your country usually notifies the affected Party (art. 3.1);*

5 working days from the date when the notification is obtained from the initiator (developer), the latter shall provide via the diplomatic channels to the Competent Authority of the affected Party the notification on the proposed activity and publish it on its official web-page..."

- b. *The format for notification. Please indicate whether this is the format as decided by the first meeting of the Parties in its decision I/4 (ECE /MP.EIA/2, annex IV, appendix). If not, does your country use a format of its own (in which case, please attach a copy of it)?*

The format of notification in the national legislation (Annex 5 to the Law on EIA) corresponds to the format of notification adopted at the first meeting of the Parties.

- c. *The time frame for the response to the notification from the affected Party (cf. art. 3, para. 3, "within the time specified in the notification"), the consequence if an affected Party does not comply with the time frame, and the possibility of extending a deadline;*

Article 12(2) of the Law on EIA says «...the Competent Authority of the affected Party shall within 30 calendar days from the date the notification was received provide the response regarding the participation/non-participation of the affected Party in the environmental impact assessment procedures». In case the terms of a response to the notification are not met, this shall be considered as a refusal from the participation of the affected Party in the EIA procedure.

- d. *The request for information from the affected Party (art. 3 para. 6), necessary for the preparation of the EIA documentation;*

“At the stage of notification the Party of origin could request the affected Party the generally available information necessary for the preparation of the Environmental Impact Assessment Documentation, and information on the national environmental impact assessment procedures. The requested information shall be furnished within 45 calendar days from the date the request was received” (Article 12 (5)).

- e. *How your country cooperates with the authorities of the affected Party on public participation (art. 3, para. 8);*

Cooperation with the state authorities of the affected Party on public participation is carried out through the consultations.

- f. *When and how the public in the affected Party is notified (what kinds of media, etc., are usually used). What is normally the content of the public notification?*

Pursuant to the national legislation the Competent Authority of the Party of origin shall furnish the notification to the Competent Authority of the affected Party, which in its turn shall inform the relevant authorities and the public.

- g. *When and how the public in the Party of origin is notified (what kinds of media, etc. are usually used). What is normally the content of the public notification?*

The Competent Authority shall publish the information on its official web-site, the initiator (developer) shall publish the brief information on the proposed activity in no less than one national and local newspapers with mandatory reference to its official web-page and/or reference to its other address, where the information is available for acquaintance with, and shall identify the timing for providing the comments.

- h. *Whether the notification to the public of the affected Party has the same content as the notification to your country’s public. If not, describe why not.*

The content of the notification is identical to both the affected Party, and the Party of origin, including the public.

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

The contact points listed at the Convention web-site are in use.

QUESTIONS TO AFFECTED PARTY

12. *Indicate whether and how the following provisions are reflected in your national legislation:*

- a. *How your country decides whether or not to participate in the EIA procedure (art. 3, para. 3)?*

The Law on EIA in its Article 16(2) says: “The Competent Authority of the affected Party shall decide within the time period specified in the notification (but no longer than 30 days) on whether to participate or not in the EIA procedure taking into account the opinion of the concerned bodies of the central public administration, local bodies of public administration the territory of which is likely to be transboundary impacted, as well as of the public. To this end, the Competent Authority within 5 calendar days shall:

- a) publish the notification at its official web-page specifying the timing for providing opinions regarding the proposed activity;
- b) provide the notification to the relevant governmental institutions, local bodies of public administration at the territory of a potential impact, and public specifying the timing for providing comments”.

b. The request from the Party of origin for information (art. 3, para. 6), necessary for the preparation of the EIA documentation;

“Upon the request of the Competent Authority of the Party of origin the Competent Authority of the affected Party shall provide to the Party of origin within 45 calendar days the available information on the state of the environment, necessary for the preparation of the Environmental Impact Assessment Documentation, and information on the national procedures for environmental impact assessment” (Article 16(5)).

c. How your country cooperates with the authorities of the Party of origin on public participation (art. 3, para. 8);

“Upon the agreement the Competent Authorities of the Parties shall enter into consultations. At this, the Parties shall agree upon the composition of participants and issues to be discussed. The consultations shall take place prior to issuing the environmental permit” (Article 18(2)).

d. When and how the public is notified (e.g., what kinds of media, etc., are usually used).

The notification shall be published on the official web-page of the Competent Authority specifying the timing for providing the comments regarding the proposed activity, as well as it shall be e-mailed to the environmental NGOs.

Article 4

Preparation of the environmental impact assessment documentation

QUESTIONS TO PARTY OF ORIGIN

13. *Indicate the legal requirements in your country, if any, related to:*

a. The content of the EIA documentation (art. 4, para. 1; appendix II);

The content of the EIA Documentation established by the national legislation is corresponding to the Appendix II of the Convention.

b. The procedures for determining the content of the EIA documentation on a case-by-case basis (scoping procedure) (art. 4, para. 1);

“Aimed at the environmental impact assessment of the proposed activity the initiator (developer) shall develop the Programme of EIA implementation, which is subject for the agreement with the Competent Authority. The initiator (developer) shall also ensure the

informing of the public and provide the possibility for the public and the concerned authorities to provide comments on the Programme in written” Article 19 (2).

- c. The identification of “reasonable alternatives” in accordance with appendix II, paragraph (b);*

The Article 20(2) of the Law on EIA notes that the Environmental Impact Assessment Documentation shall as the minimum include the following information: «b) comparisons of the main alternatives considered (including the no-activity option) and main arguments of the recommended selection of any alternative taking into account the environmental impact”.

- d. The procedures and format for providing the EIA documentation domestically;*

The initiator (developer) (developer) shall provide for consideration the Environmental Impact Assessment Documentation to the Competent Authority, which shall publish it on its official web-site, to the bodies of central public administration concerned and to the local bodies of public administration at the territory of which the proposed activity will be implemented.

- e. The procedures and format for providing the EIA documentation to the affected Party. If there is a difference between the procedures and format domestically and for the affected Party, please explain;*

Article 13(3-5) of the Law on EIA says that «the Competent Authority of the Party of origin within 5 working days after receiving of the Environmental Impact Assessment Documentation from the initiator (developer) of the proposed activity shall submit it through the diplomatic channels to the Competent Authority of the affected Party in a language accessible for review and comments. The Environmental Impact Assessment Documentation shall be submitted in hard copy and electronically.

The format for providing of the EIA Documentation is equal for both the Party of origin, and the affected Party.

- f. The procedures for the examination of, and the deadlines for comments on, the EIA documentation domestically, and how the comments submitted domestically are addressed;*

Article 21(1) says “The initiator (developer) shall provide for consideration the Environmental Impact Assessment Documentation to the Competent Authority, bodies of central public administration concerned and to the local body of public administration at the territory of which the proposed activity will be implemented. The consideration of the EIA Documentation shall take place within 60 calendar days since the date of its submitting. The comments regarding the EIA Documentation shall be provided by the aforementioned bodies in written to the initiator (developer) of the proposed activity within the time period up to 50 calendar days, and simultaneously the copies of these comments – to the Competent Authority. The Competent Authority shall summarize the proposals and comments of the concerned bodies and submit it to the initiator (developer). The Competent Authority shall enter into the consultations with the initiator (developer) of the proposed activity regarding the EIA Documentation prior to the issuing of the environmental permit. If necessary, the institutions concerned in the proposed activity shall participate in the consultations due to the specific responsibility in the environmental area”. The initiator (developer) shall also arrange for the public hearings regarding the EIA Documentation.

- g. The procedures for the examination of, and the deadlines for comments on, the EIA documentation from the affected Party, and how the comments submitted by the affected Party are addressed;*

The timing for examination, public consultations and providing of the decision with regards to the Environmental Impact Assessment Documentation shall not exceed 60 calendar days for the affected Party. The Competent Authority of the Party of origin upon the agreement with the initiator (developer) of proposed activity could extend the examination period of the Environmental Impact Assessment Documentation upon the request of the affected Party, but not longer than for 30 days.

The initiator (developer) of the proposed activity shall consider the provided comments and duly took them into account in the Environmental Impact Assessment Documentation. In case the initiator (developer) is not agree with any of the proposals or comments of the affected Party, it shall provide the refusal in written based on the arguments and submit it to the Component Authority of the Party of origin, which it shall provide to the affected Party (Article 13).

h. The procedures for public hearings domestically;

Article 22: (2) The public hearings shall take place at the territory of the local body of public administration, where the proposed activity will be implemented. After the Environmental Impact Assessment Documentation is provided the initiator (developer) jointly with the local body of public administration shall determine the venue, date and time for public hearings;

(3) The initiator (developer) shall inform the public on public hearings through the publications in mass media and at the official web-site of the initiator (developer). The local body of public administration shall also publish at its official web-site the notification on public hearings in the building of the local authority and other public places. Notification shall be made available as minimum as 10 days prior to the commencement of the public hearings.

(4) The outcomes of the public hearings shall be incorporated into the protocol with identification of total number of participants, list of issues, comments and proposals submitted during the public hearings on the EIA Documentation. The protocol shall be made within 3 days after the public hearings, signed by the chairperson (initiator (developer)) of the meeting for public hearings.

(5) In case there were no responses to the questions made during the public hearings regarding the EIA Documentation, the initiator (developer) (developer of the Environmental Impact Assessment Documentation) shall submit the responses to the authors of questions to the postal or electronic address specified under the registration within 15 calendar days after the public hearings took place.

i. The procedures for public hearings held on the territory of the affected Party.

Holding of the public hearings in the affected Party shall be made pursuant to the bilateral agreements or national legislation of the affected Party. The outcomes of the consultations and public hearings, including the list of participants, shall be incorporated into the protocol, to be signed by the chairperson and the secretary of the meeting.

The consultations and public hearings shall take place prior to issuing of the environmental permit and final decision regarding the implementation of the proposed activity (Article 14).

QUESTIONS TO AFFECTED PARTY

14. Indicate the legal requirements in your country, if any, related to:

a. The procedures and deadlines for comments on the EIA documentation to be submitted to the Party of origin;

The Competent Authority of the affected Party shall submit through the diplomatic channels to the Competent Authority of the Party of origin the conclusion regarding the EIA

Documentation and simultaneously publish it on its official web-site. The timing for examination of the EIA Documentation and response to the Party of origin is 60 days.

- b. The procedures for public participation in the review of the EIA documentation domestically, and the authority responsible for the execution of the aforementioned procedures;*

The Competent Authority of the affected Party shall submit the EIA Documentation to the local body of public administration, which within 5 working days shall make it available for the public access and inform the public and the Competent Authority of the affected Party about this. The concerned public shall submit the comments directly to the Competent Authority of the Party of origin, and the copy – to the Competent Authority of the affected Party.

- c. The procedures for the examination of the EIA documentation domestically.*

The Competent Authority of the affected Party shall receive from the Party of origin the EIA Documentation, publish it within 5 working days on the official web-site, as well as furnish it to the local body of public administration, concerned governmental institutions, specifying the timing for providing the comments. The state and other institutions of the affected Party involved into the EIA Documentation examination process shall provide their comments within the specified time period to the Competent Authority, which shall develop the conclusion.

Article 5

Consultations

QUESTIONS TO PARTY OF ORIGIN

15. Indicate the legal requirements in your country, if any, related to the following provisions:

- a. The procedures for cooperation with the affected Party related to consultations;*

i. The national legislation stipulates that the consultations with the affected Party shall take place upon the agreement between the Parties.

ii. The forms of consultations include:

- a) joint committees;
- b) meeting of experts;
- c) video-conferences / sharing messages via e-mail or formal correspondence;
- d) meetings of officials of senior or higher level.

- b. The stages, procedures and deadlines for consultations with the affected Party;*

Article 14: (1) Upon the agreement the Competent Authorities of the Parties shall enter into the consultations at the various stages of the environmental impact assessment. The Competent Authority of the Party of origin shall mandatory initiate the consultations with the Competent Authority of the affected Party after the preparation and providing of the EIA Documentation to the affected Party.

(2) The consultations shall be carried out with regards to the likely transboundary impact of the proposed activity and measures to mitigate or eliminate its impacts, methods for public information and holding of public discussions. The Competent Authorities of the Parties upon agreement shall consider other issues that are relevant to the proposed activity and the

environmental impact assessment procedures. The Competent Authorities of the Parties shall agree upon the composition of participants of the consultations, its timing, venue and forms.

- c. The stages, procedures and deadlines for consultations domestically, and who participates in the consultations.*

Article 21 (7): The Competent Authority shall have the consultations with the initiator (developer) of the proposed activity regarding the Environmental Impact Assessment Documentation before issuing the environmental permit. If necessary, the institutions concerned in the proposed activity shall participate in the consultations due to the specific responsibility in the environmental area.

QUESTIONS TO AFFECTED PARTY

16. *Indicate the legal requirements in your country, if any, related to the following provisions:*

- a. The procedures for interaction with the Party of origin related to consultations;*

The Competent Authority of the affected Party during the examination of the Environmental Impact Assessment Documentation may initiate the consultations with the Competent Authority of the Party of origin. Upon the agreement the Competent Authorities of the Parties shall enter into the consultations. At this, the Parties shall agree upon the composition of participants and issues to be discussed. The consultations shall take place prior to issuing the environmental permit (Article 18).

- b. The stages, procedures and deadlines for consultations domestically, and who participates in the consultations.*

The consultations domestically shall take place after submitting by the Party of origin of the EIA Documentation. The Competent Authority of the affected Party shall enter into the consultations with the concerned institutions and the public of the affected Party regarding the EIA Documentation and preparation of the decision.

Article 6

Final decision

QUESTIONS TO PARTY OF ORIGIN

17. *Indicate the legal requirements in your country, if any, related to the following provisions:*

- a. The definition of "final decision" related to the implementation of the proposed activity; the content of decisions; and procedures for their adoption;*

The Law on EIA provides for the following definition: "environmental permit – is a permitting document issued by the central body of public administration in the field of the environment, which provides for the conditions and, if necessary, measures for the environmental protection that should be complied in case of the project implementation" (Article 2); "environmental permit" is issuing only with regards to the environmental impact assessment and is not the final decision for the implementation of the proposed activity.

The decision on the proposed activity implementation is regulated by other legal acts (Law № 150 of 22.07.2011 on the regulation of business activities by permitting, Law № 163 of 09.07.2010 on permitting of the construction works implementation), where the term "final decision" is not applied.

- b. *For each type of activity listed in appendix I, identify what is regarded as the “final decision” to authorize or undertake a proposed activity (art. 6 in conjunction with art. 2, para. 3); also provide the term used in the national legislation in the original language. Do all projects listed in appendix I require such a decision?*

The term “final decision” is understood as the authorization or implementation of the proposed activity. The authorization or implementation of the proposed activity is carried out on the basis of a permitting document issued based on the specific legal acts.

Each type of activity listed in the Appendix I requires the environmental permit and the permitting document for implementation of the proposed activity.

(permitting document) -act permisiv – document sau înscris constatator prin care autoritatea emitentă constată unele fapte juridice și/sau învestește solicitantul cu o serie de drepturi și de obligații pentru inițierea, desfășurarea și/sau încetarea activității de întreprinzător sau a unor acțiuni aferente acestei activități. Actul permisiv poate avea formă de autorizație, permis, certificat, aviz, aprobare, coordonare, brevet, de atestat de calificare (denumite în continuare acte permisive);

- c. *The procedures for informing of the “final decision” domestically and for the affected Party;*

The body of local (central) public administration, which issued the permitting document for implementation of the proposed activity pursuant to the specific law, and which was granted with the environmental permit, shall inform in written the Competent Authority on issuing of the permitting document within 5 calendar days since the date it was issued. The Competent Authority shall publish the copy of the permit for construction or copy of permit for implementation of the proposed activity at its official web-site. The initiator (developer) shall inform public on obtaining the permit for construction or permit for implementation of the proposed activity through notification in mass media and at the official web-site of the initiator (developer) within 15 calendar days (Article 25).

The Competent Authority of the Party of origin shall inform the Competent Authority of the affected Party on the decision on the proposed activity after issuing by the authorized body of the permit for construction or permit for implementation of the proposed activity pursuant to the Article 25(1). Informing shall be made through the diplomatic channels within 15 calendar days from the date of obtaining the information from the authorized body (Article 15).

- d. *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 the public in your country (art. 6, para. 1)?*

Comments are taken into consideration.

- e. *The opportunity to review the decision if, before the activity is implemented, additional information becomes available according to article 6, paragraph 3.*

In case, if after issuing of the environmental permit and before obtaining of the authorization for implementation of the proposed activity, the project has been changed, the initiator (developer) is obliged to notify in written the Competent Authority about these changes.

Article 7

Post-Project Analysis

18. *Indicate the legal requirements in your country, if any, related to:*

- a. *Post-project analysis (art. 7, para. 1);*

The EIA Documentation shall incorporate the proposals for environmental monitoring and post-project analysis.

b. *Procedures for informing of the results of post-project analysis.*

The procedures for informing of the results of the post-project analysis shall be established in each particular case.

Article 8

Bilateral and multilateral agreements

19. *Does your country have any bilateral or multilateral agreements based on the 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.*

The draft Agreement between the Ministry of Environment of the Republic of Moldova and the Ministry of Ecology and Natural Resources of Ukraine on compliance with the requirements of the Convention on Environmental Impact Assessment in a Transboundary Context is developed and under negotiations.

20. *Has your country established any supplementary points of contact pursuant to bilateral or multilateral agreements?*

There are no supplementary points of contact.

Article 9

Research programmes

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

None.

Ratification of the amendments to the Convention and of the Protocol on Strategic Environmental Assessment

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

The simultaneous ratification of the first and the second Amendments to the Convention is planned for 2013-2014.

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

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

The Protocol on SEA is planned for ratification after the development of the draft Law on SEA in 2014.

PART TWO – PRACTICAL APPLICATION DURING THE PERIOD 2010–2012

Please report on your country's practical experiences in applying the Convention (not your country's procedures described in part one), whether as Party of origin or affected Party. The focus here is on identifying good practices as well as difficulties Parties have encountered in applying the Convention in practice; and the goal is to enable Parties to share solutions. Parties should therefore provide appropriate examples highlighting application of the Convention and innovative approaches to improve its application.

CASES DURING THE PERIOD 2010–2012

25. *If your country's national administration has a list of transboundary EIA procedures that were under way during the reporting period, in which your country was Party of origin or affected Party, please list it.*

Moldova's participation as the affected Party in the EIA procedures (examination of the EIA Documentation):

- Connecting gas pipeline of the national gas transport system of Romania with the gas transport system of Moldova (2011);
- Provision of security and restoration of hydro-engineering dam Stanca-Costesti (Romania), 2011;
- The heat power station in Galati free zone (Romania, 2012);
- Construction of high-voltage power lines, capacity 400 KV (Romania, 2012);
- Construction of 3rd and 4th units of the nuclear power plant in Khmelnytsky, Ukraine. The Ministry of Environment of Moldova provided the negative decision on the EIA Documentation and requested to complete the EIA Documentation and enter into the consultations (2012).

26. *Does your country object to the inclusion of the above list of transboundary EIA procedures in a compilation of such procedures to be made available on the website of the Convention? (Indicate "yes" if you object.)*

Yes.

27. *Provide information and explanations on the average duration of transboundary EIA procedures, both of the individual steps and of the procedures as a whole.*

As the affected Party the country performed the examination of the notification and the EIA Documentation in line with the timing specified by the Party of origin.

EXPERIENCE IN THE TRANSBOUNDARY ENVIRONMENTAL IMPACT ASSESSMENT PROCEDURE DURING THE PERIOD 2006–2009

28. *If your country has had practical experience in the transboundary EIA procedure during the reporting period, has the implementation of the Convention supported the prevention, reduction or control of possible significant transboundary environmental impacts? Provide practical examples if available.*

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

- a. *Indicate whether a separate chapter is provided on transboundary issues in the EIA documentation. How does your country determine how much information to include in the EIA documentation?*
- b. *Translation is not addressed in the Convention. How has your country addressed the question of translation? What does your country usually translate? What difficulties has your country experienced relating to translation and interpretation, and what solutions has your country applied?*
- c. *How has your country organized transboundary public participation in practice? As Party of origin, has your country organized public participation in affected Parties and, if so, how? Has your country experienced difficulties with the participation of its public or the public of another Party (e.g., have there been complaints from the public about the procedure)?*
- d. *Describe any difficulties that your country has encountered during consultations, for example over timing, language and the need for additional information. As an affected Party, have consultations under article 5 supported the prevention, reduction or control of possible significant transboundary environmental impacts?*
- e. *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;*
- f. *Has your country carried out post-project analyses and, if so, on what kinds of project?*
- g. *Does your country have successful examples of organizing transboundary EIA procedures for joint cross-border projects? Please provide information on your country's experiences describing, for example, means of cooperation (e.g., contact points, joint bodies, bilateral agreements), institutional arrangements, and how practical matters are dealt with (e.g., translation, interpretation, transmission of documents, etc.);*
- h. *Name examples of good practice cases, whether complete cases or good practice elements (e.g., notification, consultation or public participation) within cases. Would your country like to introduce a case in the form of a Convention's "case study fact sheet"?*
- i. *Identify the most common means of applying the Convention (e.g., through focal points, joint bodies, multilateral agreements).*

CO-OPERATION BETWEEN PARTIES IN 2010–2012

30. *Does your country have any successful examples of how it has overcome difficulties arising from different legal systems in neighbouring countries? If so please specify.*

There were no difficulties resulted from the existence of other legal systems in neighboring countries.

EXPERIENCE IN USING THE GUIDANCE IN 2010–2012

31. *Has your country used in practice the following guidance, adopted by the Meeting of the Parties and available online? Describe your country's experience with using these guidance documents and how they might be improved or supplemented.*

- a. *Guidance on public participation in EIA in a transboundary context (ECE/MP.EIA/7);*
- b. *Guidance on subregional cooperation (ECE/MP.EIA/6, annex V, appendix);*
- c. *Guidelines on good practice and on bilateral and multilateral agreements (ECE/MP.EIA/6, annex IV, appendix).*

The above documents were practically used for the development of the Law on EIA, and draft Agreement between the Ministry of Environment of the Republic of Moldova and the Ministry of Ecology and Natural Resources of Ukraine on compliance with the requirements of the Convention on Environmental Impact Assessment in a Transboundary Context.

CLARITY OF THE CONVENTION

32. *Has your country 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?*

AWARENESS OF THE CONVENTION

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

The workshop with the participation of the state authorities and public was held in 2010 with respect to the requirements of the Espoo Convention, and the EC Directive of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment (85/337/EEC) and necessity of these requirements inclusion into the national legislation.

34. *Does your country see a need to improve the application of the Convention in your country and, if so, how does it intend to do so?*

SUGGESTED IMPROVEMENTS TO THE REPORT

35. *Please provide suggestions for how this report may be improved.*

Exclude paragraph 20, as the further paragraphs contain the concrete questions on providing the possibility for public participation in the EIA procedures.

* * * * *