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Environmental Performance Review Programme:

Second Environmental Performance Review of Romania

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Second Environmental Performance Review of Romania: Recommendations

Note by the secretariat

Summary

The present document provides recommendations of the second Environmental Performance Review of Romania agreed upon by the Expert Group on Environmental Performance at its meeting held in Geneva on 3-5 April 2012.

The Committee is invited adopt these recommendations.

I. Policy making, planning and implementation

Chapter 1: Policymaking framework for environmental protection and sustainable development

Recommendation 1.1

- (a) The Inter-ministerial Committee for the Coordination of the Integration of Environmental Protection into Sectoral Policies and Strategies at National Level should initiate comprehensive evaluation and revision of the second National Sustainable Development Strategy, including:
 - (i) In the first phase, development of a short-term action plan of the second National Sustainable Development Strategy, identifying the tasks, responsible bodies and financial resources;
 - (ii) In the second phase, evaluation and revision of the mid-term and long-term objectives and lasting solution for financing implementation of the second National Sustainable Development Strategy.
- (b) The Government should set up a national Sustainable Development Council with broad representation of civil society and stakeholders to provide advice on the development of its future sustainable development policy.

Recommendation 1.2

The Inter-ministerial Committee for the Coordination of the Integration of Environmental Protection into Sectoral Policies and Strategies at National Level should:

- (a) Improve the coordination and harmonization of relevant strategies and programmes, taking into account results of forward-looking analysis;
- (b) Improve monitoring and evaluation of progress made in the implementation of the adopted policy documents in order to provide regular feedback for revision of the on-going actions and preparation of the new ones.

Recommendation 1.3

The Government should:

- (a) Ensure that public authorities with environment-related functions and impacts establish a dedicated environment unit, unless they already have one;
- (b) Strengthen cooperation between these public authorities.

Chapter 2: Compliance and enforcement mechanisms

Recommendation 2.1

The Ministry of Environment and Forests should:

- (a) Review the regulatory acts that define activities subject to Strategic Environment Assessment (SEA) in order to decrease the number of cases subject to it and streamline assessment procedures;
- (b) Consider diminishing the regulatory load on National Environmental Protection Agency by delegating some of its current tasks, such as certain category screening of Environmental Impact Assessment (EIA), to local authorities.

Recommendation 2.2

The Ministry of Environment and Forests should improve National Environmental Protection Agency (NEPA) and National Environmental Guard (NEG) information management and disclosure practices, by arranging that these public institutions:

- (a) Regularly update their websites and disclose a wider range of information, particularly as concerns permit issuing and compliance monitoring of high-risk installations;
- (b) Establish a nationwide, shared database with facility-specific regulatory and compliance assurance information, thus ensuring a smoother flow of relevant data between the two agencies;
- (c) Disclose the results of facility-specific risk analysis information and check the coherence of regulatory requirements and compliance assurance across the entire country;
- (d) Improve reporting activities and performance, including by extending indicator comparison to longer time-series and by adding a subnational perspective.

Recommendations 2.3

The Ministry of Environment and Forests should systematically review key elements of its compliance monitoring strategy to optimize the balance between quantitative and qualitative elements, such as:

- (a) Frequency and duration of inspections;
- (b) Scope and focus of compliance checks during site visits;
- (c) The character of unplanned inspections; and
- (d) The extent of site visit reporting.

Recommendations 2.4

The Government should increase the capacity to address environmental cases within existing judicial authorities and by organizational adjustments, such as the creation of dedicated environmental courts or environmental divisions within existing courts.

Chapter 3: Monitoring, information, public participation and education

Recommendations 3.1

The Ministry of Environment and Forests should:

- (a) Strengthen compliance of enterprises, in particular of listed companies, with their environmental self-monitoring and reporting obligations; and
- (b) Link self-monitoring data submitted to it by enterprises with data collected by national monitoring programmes.

Recommendations 3.2

The Government should:

- (a) Adopt a national strategy on education for sustainable development (ESD) and its national implementation plan, as recommended by the UNECE Strategy on ESD, and
- (b) Ensure that adequate funding is made available for its implementation.

Recommendation 3.3

The Ministry of Environment and Forests should:

- (a) Create more opportunities to meet and discuss with NGOs to explore ways and means to jointly implement environmental projects;
- (b) Enhance information provided to the environmental NGO community about programmes and projects financed from the Environmental Fund and how such funds can be accessed.

Chapter 4: Environmental international agreements and commitments and their implementation

Recommendation 4.1

The Government should develop a strategy for international cooperation based on national environmental priorities, clear objectives and a realistic time schedule for their achievement.

Recommendation 4.2

The Government should provide an appropriate number of qualified staff to ensure the implementation of multilateral environmental agreements' obligations by increasing absorption of relevant EU funds devoted to strengthening capacity-building and to supporting training of professionals.

Recommendation 4.3

The Ministry of Environment and Forests should:

- (a) Develop a mechanism to promote the dialogue with the private sector on national and international environmental issues;
- (b) Facilitate the active participation of the private sector in international cooperation on environment and the green economy.

Recommendation 4.4

The Ministry of Environment and Forests should clearly identify budget sources, which will be devoted to complying with the financial obligations under the Protocol on the Financing of the Co-operative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe (EMEP) to the Convention on Long-Range Transboundary Air Pollution in order to ensure the mandatory national contribution.

II. Economic instruments and financial resources

Chapter 5: Economic instruments for environmental protection

Recommendation 5.1

The Ministry of Environment and Forests should:

- (a) Review air and water pollution taxes with a view to ascertaining and strengthening their environmental effectiveness;
- (b) Consider applying air pollution taxes to further major pollutants and submit relevant proposals to the Government for adoption.

Recommendation 5.2

The Government should:

- (a) Monitor and evaluate the impacts of the waste management taxes and other waste charges on waste generation;
- (b) Ensure that municipal waste collection charges are applied systematically across the country and that there are adequate incentives for waste sorting, deposit-refund schemes and waste recycling;
- (c) Set waste taxes and charges for manufacturing waste.

Recommendation 5.3

The Government should undertake reviewing the system of water abstraction charges and water supply and sewage tariffs and adjust rates with the aim to ensure the implementation of the principle of full cost recovery.

Recommendation 5.4

The Government should explore the scope for strengthening the role of fuel taxes and road user charges for dealing with road transport pollution.

Recommendation 5.5

The Government should:

- (a) Gradually raise gas prices to levels that correspond to effective unit supply costs;
- (b) Phase out regulated electricity and gas prices;
- (c) Retain effective support of vulnerable consumers by means of well-targeted direct income support.

Chapter 6: Expenditures for environmental protection

Recommendation 6.1

The Government should evaluate the economic and environmental effects of the car scrapping programme in order to decide whether it is really useful to continue with it.

Recommendation 6.2

The Government should:

- (a) Closely monitor and regularly evaluate the effectiveness and efficiency of the quota obligation and green certificates system in achieving the renewable energy targets as well as the interactions with the EU Emissions Trading System (ETS);
- (b) Consider phasing out support for renewable energy sources once they have become competitive with fossil fuels;
- (c) Establish a timetable for phasing out the still existing coal subsidies.

Recommendation 6.3

The Ministry of Environment and Forests should carry out periodic auditing of the activities of the Environmental Fund, its administrative procedures and technical capacities in order to ensure an effective and efficient use of its financial resources and accelerated decision making.

Recommendation 6.4

The Government should:

- (a) Revise national regulations regarding EU funds in order to:
 - (i) Review criteria for the selection of projects to be submitted for EU environmental funding;
 - (ii) Simplify the process of decision making;
 - (iii) Ensure a targeted division of responsibilities between project proposal assessment, implementation and supervision in order to avoid duplication and overlapping;
- (b) Increase capacity, especially staff skills, for project proposal preparation at all levels.

III. Integration of environmental concerns into economic sectors and promotion of sustainable development

Chapter 7: Sustainable management of water resources and protection of the Black Sea

Recommendation 7.1

The Government should assess:

- (a) Future drinking water needs in order to consider exploring additional water sources such as additional aquifers;
- (b) The impact of degradation of water reservoirs on water management.

Recommendation 7.2

The Government should:

- (a) Consider providing additional funding for water infrastructure in rural areas;
- (b) Better coordinate measures of drinking water supply and sanitation;
- (c) Enhance training of qualified personnel of the Water Management Administration and the Regional Environmental Protection Agencies;
- (d) Review requirements of technical normative documents on industrial wastewater discharges, in order to set wastewater discharge limits for different branches of industry.

Recommendation 7.3

The Government should identify options for safe handling of sludge from wastewater treatment.

Recommendation 7.4

The Government should strengthen the institutional capacity of the Intercommunity Development Associations so that they can better exercise their function of supervising regional operators of water supply and wastewater systems.

Chapter 8: Waste management

Recommendation 8.1

The Ministry of Environment and Forests and the Ministry of Administration and Interior should analyse possibilities to foster full coverage of rural areas by waste collections services and draft a relevant plan of action.

Recommendation 8.2

The Ministry of Environment and Forests, in cooperation with county councils and municipalities, should support and widely introduce contracts on municipal solid waste collection services between municipalities and collection companies.

Recommendation 8.3

The Government should ensure that the competent authorities introduce waste tariffs based on the principle of full cost recovery.

Recommendation 8.4

The Ministry of Environment and Forest should ensure that detailed, verified background information is made available for the development of a new integrated waste management strategy for the period 2014 – 2023.

Chapter 9: Forestry, biodiversity and protected areas

Recommendation 9.1

To support the protective functions of forests, the Ministry of Environment and Forests should explore the development of innovative financing mechanisms to compensate private forest land owners for the restrictions imposed on them.

Recommendation 9.2

The Government should:

- (a) Evaluate the current system of compliance and enforcement related to the existing legislation on protected areas and take necessary steps to correct its shortcoming;
- (b) Ensure that adequate financial resources are made available for training environmental guards and increasing their numbers to control illegal hunting in protected areas.

Recommendation 9.3

The Ministry of Environment and Forests should provide:

- (a) Resources and capacity building necessary to produce protected area management plans for all protected areas for which these are required.

- (b) Necessary tools and better capacity to access the available EU funds to the management authorities of Protected Areas (PAs) in order to set up required activities for PA management and develop mechanisms to support the livelihoods of the surrounding communities.

Recommendation 9.4

The Ministry of Environment and Forests should:

- (a) Include inter-sectoral activities and consultations in the new National Biodiversity Strategy and Action Plan in order to mainstream the values of nature into national planning and financing, and avoid further biodiversity losses and the degradation of ecosystem services;
- (b) Carry out a national valuation of ecosystems and ecosystem services with the assistance of the EU and other interested donors and institutions.

Chapter 10: Climate change

Recommendation 10.1

The Government should:

- (a) Finalize and adopt the new Strategy on Climate Change;
- (b) Follow this up with a climate change action plan;
- (c) Draft and adopt a strategy on adaptation to climate change and its action plan.

Recommendation 10.2

The Government should clear out the irregularities and deficiencies of the National GHG Inventory System to be able to return to the Emissions Trading System (ETS).

Recommendation 10.3

To improve and reinforce cooperation, the Government should:

- (a) Strengthen the role of the National Commission on Climate Change in inter-ministerial cooperation by increasing the frequency and regularity of the gatherings of the Commission;
- (b) Strengthen the capability of the secretariat serving the National Commission on Climate Change;
- (c) Use the Working Group on Adaptation as a model for establishing climate change-related working groups in other relevant areas such as energy efficiency, transport and waste emissions.

Recommendation 10.4

The Ministry of Environment and Forests should develop appropriate projects and programmes to:

- (a) Counter the rising GHG emissions trends in transport and waste sectors;
- (b) Anticipate and respond to the potential future increases in particular sectoral GHG emissions, e.g. in the livestock farming sector.