



Our Ref: 03-08/375

Date: 29 November 2011

Subject: Implementation of the Decision IV/9d on compliance by the Republic of Moldova with its obligations under the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters

Dear Ms. Behlyarova,

Considering the Decision IV/9d on compliance by Republic of Moldova with its obligations under the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, adopted at the fourth session of the Meeting of the Parties to the Convention, please find enclosed the Report on progress in the implementation of the above mentioned decision.

Annex: Report on 2 pages

Please accept, Ms. Behlyarova, the assurances of my highest consideration.

Sincerely,

Gheorghe ȘALARU

Minister,

Focal Point of the Aarhus Convention

To: Ms. Ella BEHLYAROVA

Secretary of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention)

Environment, Housing and Land Management Division
Economic Commission for Europe

REPORT

concerning the progress in the implementation of the Decision IV/9d
on compliance by the Republic of Moldova with its obligations under the
Convention on Access to Information, Public Participation in Decision-making
and Access to Justice in Environmental Matters

The Government of the Republic of Moldova developed this Report according to the requirements of the Decision IV/9d adopted at the fourth session of the Meeting of the Parties to the Aarhus Convention and the recommendations of the Compliance Committee of the Convention.

1) Concerning the point 4, of the Decision IV/9d adopted at the MOP4:

The National Action Plan on the implementation of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters in the Republic of Moldova, for the period of 2011-2015 was adopted on 28th of June, 2011, by the Government Decision No. 471.

The adopted version of the National Action Plan, in Russian language, can be found on the web site, managed by the Ministry of Justice of the Republic of Moldova: <http://lex.justice.md/viewdoc.php?action=view&view=doc&id=339051&lang=2>.

In order to fulfill the obligations resulted from the Government Decision No. 471, the Ministry of Environment elaborated the Order nr. 104 of 01.11.2011 for creation of the Working groups responsible for implementation of the National Action Plan through realization of the selected actions for years 2011-2012. By the Order no. 104 - two working groups were established, including representatives from various public authorities and NGOs: one group will be carrying actions for implementation of the pillars 1 and 2 of the Convention and the second group will be responsible for implementation of the 3rd pillar.

In the context of fulfillment of the actions planned for the year 2011 we initiated several actions, among them an analysis of the legislation currently in force is being carried out to evaluate the compliance of existing legislative and normative acts with the requirements of the Aarhus Convention. Additional set of proposals for improving the Civil Procedural Code is elaborated in the first version.

After the MOP4 a draft Law on access to environmental information was elaborated. Now this draft Law is passing the required internal endorsement procedures and will be also posted on the official web-site of the Ministry of the Environment for consultations with public: <http://www.mediu.gov.md/md/elaborare/>. The limit for receiving comments from the public is 22th of December 2011. It is planned to pass it to the Government of the Republic of Moldova in the second quarter of the year 2012.

Also, an official letter was addressed to the Agency "Moldsilva" proposing a draft of the Governmental Decision to amend article 48 (e) of the Government Regulation no. 187 of 20 February 2008 on Rent of Forestry Fund for Hunting and Recreational Activities, that is setting out a rule with regard to the confidentiality of the information received from the rent holders. The draft of the mentioned Government Decision will be also available for consultations with public on the official web-site of the Ministry of the Environment: <http://www.mediu.gov.md/md/elaborare/>.

2) *Opening of Aarhus Centres:*

Based on successful negotiation process with OSCE office in the Republic of Moldova, it was agreed to open 2 Aarhus Centres: one in Chisinau and one in Bender/Tighina (for the territory on the left bank of the River Dniestr/Nistru). These Centres will be supported by OSCE and by the Government of The Republic of Moldova by co-financing them from the National Ecological Fund.

The Chisinau Centre will be based on the existing Environmental Information Centre in the Ministry of Environment, with its significant enlargement, or by opening of a new office for the National Aarhus Centre. The Bender/Tighina Centre should be run by an environmental NGO. By the end of this year a Memorandum of Understanding between MoE and OSCE should be developed and signed and we expect to open the Centre in Chisinau in January-February 2012.

The Aarhus Centres aim is to raise people's awareness of environmental issues and encourage their participation in decision-making. Its functioning will derive from the requirements of the Convention and from the experience of existing similar centers in the region.

In addition, a project proposal was developed by MoE and submitted, through the Government of the Republic of Moldova, to the Governments of Romania and United States, for the support in establishment and activities of the Aarhus Centres in Moldova. We expect to receive information on the examination of this proposal and its approval in the coming month.

3) *Informational campaigns and trainings*

During the year of 2011, REC Moldova, being co-financed by the Government of the Republic of Moldova through the National Ecological Fund and the Dutch Government, organized various actions and informative campaigns for implementation of the Aarhus Convention in the Republic of Moldova.

In the period April-June several regional round tables were organized in Chisinau and Balti on issues related to implementation of the Aarhus Convention in the Republic of Moldova and also related to preparation to the fourth session of the Meeting of the Parties to the Convention for the local authorities and NGOs.

Recently, REC Moldova started a new project, by organizing a series of informative seminars and trainings for the representatives of the Local Public Authorities, employees from the judicial system and other interested groups of people. The seminars are conducted at the regional level, 3 of them have conducted already in the rayons Drochia, Anenii Noi and Causeni. In addition, a training on Aarhus Convention, not duplicating the above mentioned one, was organized and performed in Chisinau by EcoContact/Milieukontakt International.

The implementation of the National Action Plan on the implementation of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters in the Republic of Moldova will follow according to the Plan of actions and mentioned Orders, with the financial support from the National Ecological Fund, OSCE, other development partners and with NGOs active participation and involvement.