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The environmental compliance assurance system in the Republic of Moldova

Policies and tools for enforcement of environmental compliance – regional seminar with Eastern Partner countries, 17-18.11.2021

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Institutional framework for CAS

Highlights of achievements:

- Establishment of the Ministry of the Environment in the new Government (July 2021) with Environmental Agency and Inspectorate for Environmental Protection: environmental policy-making, permitting and control functions are clearly defined and separated;
- Both the Agency and the Inspectorate are supported by territorial divisions;
- There is a State Registry of Control (under the State Chancellery/eGovernance) that publishes inspection plans, results and appeals for all types of inspections in the country;

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Institutional framework for CAS

Challenges and capacity building needs:

- Ensure better co-operation among environmental compliance assurance institutions;
- Increase the amount of staff working on permitting at the Environmental Agency and in the Inspectorate;
- Conduct a skills gap analysis of environmental inspectors and create a tailored training programme;
- Reduce corruption risks identified within the Agency and Inspectorate.

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Legislative and permitting framework

Highlights of achievements:

- Environmental legislation includes laws governing environmental protection of various environmental media, and reflects a number of international conventions and EU Directives/Regulations;
- Governmental Decisions outlining institutional responsibilities for environmental compliance assurance, setting up a government control registry, and setting out a methodology for risk-based control have been adopted;
- The integrated approach to environmental regulation, permitting and control promoted with a draft law on industrial emissions.

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Legislative and permitting framework

Challenges and capacity building needs:

- Review the environmental legislation in place and evaluate if it is fit-for-purpose, has enough incentives to encourage compliance and is enforceable;
- Streamline the permitting procedure, remove gaps in the operation of the digital permitting system;
- Promote a differentiated permitting regime based on the polluting potential of enterprises;
- Develop and strengthen an integrated approach to permitting.

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Monitoring framework

Highlights of achievements:

- The Reference Laboratory of the Environmental Agency has recently received ISO 17025 accreditation;
- The Environmental Agency developed the list of environmental indicators and plans to publish national Reports on the state of the environment online and every four years;
- Moldova is developing a National Integrated Air Quality Monitoring and Management System (SNMGICA);
- Moldova is working on an operational PRTR.

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Monitoring framework

Challenges and capacity building needs:

- The Reference Laboratory has technological deficiencies, which do not allow it to monitor all aspects of environmental quality, and lacks automation, resulting in predominantly manual sample collection;
- Private sector and civil society representatives largely see the environmental monitoring regime as ineffective, and many of them believe that non-compliance and self-monitoring is not likely to be detected;
- There is not enough official online actual/daily information on the quality of environmental components in Moldova.

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Enforcement

Highlights of achievements:

- Moldova uses a variety of penalties for non-compliance along the “enforcement pyramid”;
- Reparation of environmental damage by a company serves as a mitigating factor when setting penalties;
- Moldova is amending legislation to improve its environmental enforcement regime and increase penalties for environmental non-compliance;
- Industry-specific methodologies are used to evaluate the monetary cost of environmental damage.

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Enforcement

Challenges and capacity building needs:

- Adopt a clear enforcement policy guidance document and make it publicly available;
- Raise the level of sanctions, including environmental payments, to reflect environmental damage and remove the economic benefit of non-compliance;
- Introduce uniform charge rates for the same type of pollution in cities and other areas;
- Increase transparency about the use of collected environmental payments.

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Thank you for your attention!

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