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Good Environmental Governance Implementation in Georgia, Moldova, and Ukraine:

State of play, key conclusions and recommendations



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Resource and Analysis Center
"SOCIETY AND ENVIRONMENT"



The policy paper provides for assessment and the key conclusions on the good environmental governance principles implementation in Georgia, Moldova, and Ukraine. The document also contains recommendations how to increase the progress in three countries and regionally.

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Executive Summary

The policy paper «Good Environmental Governance Implementation in Georgia, Moldova, and Ukraine: State of play, key conclusions and recommendations» proposes for the decision-makers, civil society organizations, members of the EaP Civil Society Forum, European institutions, experts the assessment of the good environmental governance in three EaP countries, namely Georgia, Moldova, and Ukraine. It provides the key findings, trends and recommendations how to improve the implementation of the five GEG principles (openness, participation, effectiveness, accountability, and coherence).

There are many positive trends in achieving good environmental governance in the three countries, as well as at the regional level. Strategic planning based on specific target indicators, taking into account the latest trends in the EU in the context of the implementation of the European Green Deal, and accordingly focusing on it in countries in the process of developing and implementing environmental policies, integrating environmental issues into other sectors (energy, industrial policy, agriculture, transport) create not only positive signals in the development of the countries themselves, but can also serve as a positive example for other countries of the Eastern Partnership region.

Good environmental governance is an important prerequisite for the fulfillment of all tasks in the field of environment and climate change for the acquisition of EU membership. And it is very important that Georgia, Moldova, and Ukraine already have considerable experience in the implementation of directives and regulations in the field of environment and climate change, which are provided for in the respective Association Agreements. Even if progress in certain sectors cannot be assessed as significant, understanding the challenges, features and process of implementation of European norms will contribute to more rapid fulfillment of membership requirements.

According to assessment's results, overall state of play on the implementation of GEG principles in 3 countries range from 37.5% in Georgia to 62.9% in Ukraine. Moldova is in the middle with 52.3%. We have fairly high scores on issues of transparency (due to access to various types of environmental information), accountability, participation (for Moldova and Ukraine), as well as effectiveness. Coherence received the lowest score in all three countries.

Despite of certain progress, the compliance with transparency, participation, accountability, effectiveness and coherence principles in the environmental and climate policy still faces some challenges. Examples of such challenges can be the lack of practical implementation of already adopted legislation or created instruments and procedures, inefficient financial management, weak institutions and lack of capacity to effectively develop and implement the environmental policy and legislation, etc.

To increase progress in compliance with the principles of good environmental governance, different approaches can be used, which can be both more strategic and long-term (strengthening the public dialog on GEG issues, elaborating the clear vision of the good environmental governance in Georgia, Moldova, and Ukraine, as well as detailed road map or action plan for implementation, ensuring GEG principles integration into official national strategic documents, etc.) and very specific (for example, adoption of new law or introducing a new instrument for public participation). The regular monitoring of the state of play with GEG in countries and regionally, including independent monitoring by CSOs, is very important to ensure the process of proper implementation of the GEG principles.

List of abbreviations

AA	Association Agreement
CMU	Cabinet of Ministers of Ukraine
COP	Conference of Parties
CSOs	Civil society organizations
EaP	Eastern Partnership
EaP CSF	Eastern Partnership Civil Society Forum
EGD	European Green Deal
EIA	Environmental Impact Assessment
GEG	Good environmental governance
ICPDR	International Commission for the Protection of the Danube River
MEAs	Multilateral environmental agreements
MoE	Ministry of Environment
MoP	Meeting of Parties
MPs	Members of the Parliament
NDC	Nationally Determined Contribution
NEAP	National Environmental Action Plan
NGOs	Non-governmental organizations
NRF	Nature Reserved Fund
POPs	Persistent organic pollutants
PP	Public participation
PRTR	Pollutant Release and Transfer Register
SDGs	Sustainable Development Goals
SEA	Strategic Environmental Assessment
UNECE	United Nations Economic Commission for Europe
WG	Working Group

Introduction

As a result of Russia's armed aggression against Ukraine, which began on February 24, 2022, the safety and preservation of people's lives became the primary concern in Ukraine. The war affected all spheres of political life, the work of state institutions, the legislative process in the region too. Massive migration, energy crisis, overall security concerns are dominating the public life in the region.

Nevertheless, the issues of good environmental governance remain important for Ukraine, Moldova, and Georgia, particularly in two contexts. First, the future membership in the EU will require serious reform of all areas of life, including the environment and climate change. This will include the need to properly adhere to the principles of good environmental governance in order for the accession process to be fast, efficient and deliver practical results. Secondly, the issues of good governance will be an important factor in the architecture of post-war recovery both in Ukraine and the region in general. An ambitious green model of post-war recovery will significantly contribute to the implementation of these principles, since climate and environmental policy already offer effective tools for ensuring environmental good governance, including at the national level.

The aim of this policy paper is to assess the state of play in the good environmental governance in Georgia, Moldova, and Ukraine, to present the main conclusions for the individual countries, as well as to find synergy in trends and challenges. The policy paper proposes detailed assessment tables with scores and explanations, as well as recommendations how to improve the situation with good environmental governance in the region.

The policy paper intends to answer to the following questions:

1. Is the concept of the good environmental governance reflected in the strategic policy documents and taking into account at the process of implementation of reforms in different sectors?
2. Is transparency (openness) ensured as a principle of good environmental governance in the sense that processes, institutions and information are freely available to citizens?
3. Is the principle of participation in the adoption of environmentally significant decisions / policies by public authorities fully implemented at all stages of the policy cycle (from concept to implementation)?
4. How the principle of accountability is implemented, including the clear and available system of reporting?
5. Are environmental policies and institutions effective, including measurable objectives?
6. Is the state policy in the field of environmental protection coherent, including horizontal and vertical coherence?
7. The document should be of interest to decision-makers in Georgia, Moldova, and Ukraine, civil society organizations dealing with environmental protection, climate change, decarbonisation of the economy, and local environmental and climate change initiatives, European integration, gender and youth organizations, members of the EaP Civil Society Forum, European institutions, experts.

The policy paper was prepared within the project "Advocating for good environmental governance in the EaP region", implemented by three partner organizations: Resource and Analysis Centre "Society and Environment" (Ukraine), Research-Intellectual Club "Dialogue of Generations" (Georgia), Public Association "National Environmental Centre" (Moldova). The experts involved into the policy paper preparation and carrying out assessment by countries include: Anna Golubovska-Onisimova (key project expert, Ukraine), Elena Culighin (Moldova), Nino Chkhobaze, Nugzar Kokhraidze (Georgia), Nataliya Andrusyevych, Zoryana Kozak, Andriy Andrusyevych (Ukraine).

The project "Advocating for good environmental governance in the EaP region" have three objectives: to mainstream good environmental governance issues into policy and legislative agenda of the EaP countries and EaP policies at regional level; to contribute to the effective participation of civil society in policy-making

and to the EaP governments accountability, and strengthen the role of civil society within EaP policy formulation and implementation on environmental matters; to strengthen EaP regional dimension and cooperation by advocating good environmental governance principles and exchanging of experiences and best practices. The project will assess the state of play of the good environmental governance in

three EaP countries which helps to understand the challenges with good environmental governance and formulate concrete recommendations for national authorities, European Commission, civil society. The success stories from Georgia, Moldova and Ukraine will help to share experience with other EaP countries and formulate joint political recommendations for the EaP region.

Background information

The good environmental governance (GEG) is a key precondition for reaching environmental and climate resilience. The proper implementation of the GEG principles will have the robust impact on integration of environmental consideration into all policies, better implementation of legislation, as well as public participation and visibility of reforms. It is also instrumental to enabling youth participation and ensuring gender equality. The key role of the GEG for the progress in reforming environment and climate fields was confirmed by the Luxemburg declaration on cooperation in the field of environment and climate change in the EaP. GEG is among requirements under Association Agreements of three EaP countries (Georgia, Moldova and Ukraine).

‘EaP going green’ is one of the thematic priorities of the EaP CSF, and GEG is already in the focus of activities of WG 3 of the EaP CSF, as well as national platforms.

Governance is a new, more horizontal model of public administration in compare with traditional, hierarchical, state-centred style.

Environmental governance is a specific form of the broader ‘governance’ concept, and refers to processes and institutions through which societies make decisions that affect the environment. Environmental governance is primarily about how to reach environmental goals, such as conservation and sustainable development, and how decisions are made. It can be measured by the effectiveness of strategies and initiatives implemented to achieve environmental goals.¹

According to the EU White Paper on European governance², ‘Governance’ means rules, processes and behaviour that affect the way in

which powers are exercised at European level, particularly as regards openness, participation, accountability, effectiveness and coherence.

1. **Openness.** The institutions should work in a more open manner. They should actively communicate what the EU does and the decisions it takes. They should use language that is accessible and understandable for the general public. This is of particular importance in order to improve the confidence in complex institutions.
2. **Participation.** The quality, relevance and effectiveness of the policies depend on ensuring wide participation throughout the policy chain – from conception to implementation. Improved participation is likely to create more confidence in the end result and in the institutions which deliver policies. Participation crucially depends on central governments following an inclusive approach when developing and implementing policies.
3. **Accountability.** Roles in the legislative and executive processes need to be clearer. Each institution must explain and take responsibility for what it does.
4. **Effectiveness.** Policies must be effective and timely, delivering what is needed on the basis of clear objectives, an evaluation of future impact and, where available, of past experience. Effectiveness also depends on implementing policies in a proportionate manner and on taking decisions at the most appropriate level.
5. **Coherence.** Policies and action must be coherent and easily understood. Coherence requires political leadership and a strong responsibility on the part of the institutions to ensure a consistent approach within a complex system.

The European Commission developed an assessment framework for environmental governance covering five dimensions (transparency, participation, access to justice, compliance assurance and accountability, and

¹https://eap-csf.eu/wp-content/uploads/GEG_Booklet_Print3_Eng.pdf

²<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52001DC0428&from=EN>

effectiveness and efficiency), and in 2019 the report on environmental governance was made public. Overall environmental governance performance is a key factor in the ability of countries to effectively apply environmental legislation and policy. Understanding environmental governance performance and how it compares to that in other EU countries can help in providing material for consideration on how to improve transparency and effectiveness.³

All six EaP countries faced the need to reinforce the effectiveness of the environmental policy and governance in the process towards harmonization with the EU, and for Georgia, Moldova, and Ukraine in the process of convergence to the EU *acquis communautaire* in the field of environmental protection. In 2009 the EU launched the Flagship initiative on effective environmental governance aimed at promoting environment protection and climate change adaptation by strengthening environmental governance in the partner countries. The first formal meeting of the Eastern Partnership at the level of Ministers on environment and climate change took place on October 18, 2016 in Luxembourg, where the EU and the EaP countries (Armenia, Azerbaijan, Belarus, Georgia, Republic of Moldova, and Ukraine) approved the Ministerial Declaration on Cooperation in the Field of Environment and Climate Change (the so-called Luxembourg Declaration).⁴

The Luxembourg Declaration defines, among other things, a number of tasks regarding good environmental governance, in particular the parties “will cooperate in the area of environmental governance and promote the transition to a green and circular economy”, “will support the integration of tasks related to environmental protection, combating climate change and sustainable development in all spheres of politics”, “will try to ensure acceptance and effective implementation of

SEA and EIA procedures”, “will support the involvement of civil society in decision-making, strategic planning and implementation and monitoring of the results of environmental policies, programs and plans”, “will facilitate discussions between the EU, state governments and CSOs regarding setting and achieving specific goals of environmental reforms”, “will support efforts to improve environmental information and exchange it”, and others.

Some EaP countries made efforts on implementation of the Luxembourg Declaration tasks at the nation level. For example, Ukraine adopted the Roadmap to implement the Declaration, as well as introduced the good environmental governance concept into the main strategic environmental document of Ukraine. The Strategy of the State Environmental Policy includes a task “the implementation of the principles of good environmental governance, support of constant dialogue with interested parties regarding the preparation and adoption of strategic decisions”, and also contains GEG individual components and a number of indicators that can be used to evaluate GEG. For example, they include preparation of reports on the implementation of state environmental policy, environmental efficiency index, percentage of programs for which SEA was conducted.⁵

The first independent assessment on good environmental governance for six EaP countries was prepared and published by the Ukrainian NGO Mama-86 in partnership with other member of the EaP CSF in 2011.⁶ Among main recommendation, the assessment indicated “the need to raise the relative priority of environmental objectives, to involve public into discussion on the environmental component of the Association Agreement, to ensure that mandatory integration of environmental policy will be incorporated into sectoral, regional and local development policies”.

³ https://ec.europa.eu/environment/environmental_governance/pdf/development_assessment_framework_environmental_governance.pdf

⁴ https://ec.europa.eu/environment/international_issues/pdf/declaration_on_cooperation_eastern_partnership.pdf

⁵ <https://zakon.rada.gov.ua/laws/show/2697-19#Text>

⁶ <https://www.eesc.europa.eu/sites/default/files/resources/docs/assessment-of-ep-eng--2.pdf>

In 2018 the similar assessment was done for Ukraine. The publication, among other things, emphasizes that «Eastern Partnership and the Luxembourg Declaration set the direction for environmental governance reform, and the Association Agreement provides the means for movement.»⁷

The good environmental governance principles have become even more important in the context of the EU membership perspective for three EaP countries, namely, Ukraine, Moldova,

and Georgia. Despite the relevance of this issue, the implementation of the good environmental governance components in the three countries still requires additional efforts, including at policy level, legislation development, adoption and implementation, institutional reform, capacity building. In order to increase progress and take the right measures, a comprehensive assessment of the state of play in Georgia, Moldova, and Ukraine, and recommendations developed on its basis are necessary.

⁷https://www.civic-synergy.org.ua/wp-content/uploads/2018/04/Otsinka-vprovadzhennya-Lyukseburzkoyi-deklaratsiyi-v-Ukrayini_nalezhne-ekologichne-vryaduvannya.pdf

Methodology

The assessment was conducted in accordance with the uniform methodology developed in close cooperation between the World Wide Fund for Nature (WWF) and Heinrich Böll Foundation, with NGO involvement, for the project “Assessing implementation of the European Neighbourhood Policy Action Plans in Azerbaijan, Armenia, Georgia, Moldova and Ukraine” conducted in 2008–2009. The detailed methodology explanations are presented in the “Greening the European Neighbourhood Policy. A Handbook to assess Implementation of the Action Plans in the Field of the Environment”⁸. The methodology was also used to assess the good environmental governance in the EaP region in 2011⁹ and in Ukraine¹⁰.

The indicators proposed by this methodology focus on actions to achieve EaP countries commitments in the field of the good environmental governance.

The methodology aims to develop SMART (specific, measurable, achievable, relevant, and trackable) indicators. Yes/No questions are more appropriate in meeting the first three criteria of SMART indicators than a complex scoring system that would create a broad scope for subjective opinion. In addition, indicators based on Yes or No questions are easy to use, not over-demanding in terms of resources and time, and ensure a more transparent evaluation. This will facilitate the review of results across countries and allow other stakeholders to understand the results more clearly.

However, the Yes/No questions also have some limitations. In particular, clear-cut answers may not leave enough space for nuances in the answer and may therefore give an incorrect picture of the level of implementation. On the basis of the Yes/No system, the range of possible answers has thus been extended to four possible answers, from “No for nothing in place” to “Yes, Excellent”, along with two

intermediate answers, “Yes, poor” and “Yes, adequate”. This system takes into account the need for a more accurate assessment of the implementation of each objective. It also allows the evaluator to comment on his/her answer, and to add recommendations to improve the level of implementation. This is crucial to justify the assessment and to limit the level of subjectivity inherent in this exercise.

Each selected objective is presented along with the score sheet and the questions to be used for the corresponding indicator. In other words, for each objective, a set of questions has been developed. On the basis of the answers to these questions, the indicator is scored in the form of a percentage. In this approach, the indicator for each objective can be compared in its evolution over time for each country.

The following steps should be followed:

- ◆ forming a team of experts
- ◆ selecting relevant objectives and questions
- ◆ collecting data
- ◆ adapting the questions to the country’s specific context
- ◆ evaluation and scoring
- ◆ consulting other stakeholders
- ◆ explaining the results
- ◆ communicating the results

To answer each question, four answer options were offered:

- a) three levels of answer “yes”, with the appropriate scores from best to worst “3”, “2”, “1”;
- b) the answer “no”, indicated by a score of “0”.

For each indicator marked with a specific assessment, a brief explanation is prepared, indicating specific actions or processes that explain why such an assessment was chosen. The score is decided on the evaluator’s own judgment and on a case-by-case basis. One solution to balance the subjectivity will be to discuss with other stakeholders involved in the issue.

⁸ https://cz.boell.org/sites/default/files/greening_the_enp_handbook.pdf

⁹ <https://www.eesc.europa.eu/sites/default/files/resources/docs/assessment-of-ep-eng--2.pdf>

¹⁰ https://www.civic-synergy.org.ua/wp-content/uploads/2018/04/Otsinka-vprovadzheniya-Lyuksemburzkoyi-deklaratsiyi-v-Ukrayini_nalezhne-ekologichne-vryaduvannya.pdf

Apart from the tables, assessment of each question also includes possible in-depth substantiation of assessment for each GEG component. In addition, summary conclusions concerning achievement or non-achievement of a goal were developed, and recommendations for improving implementation of a specific priority were suggested.

The following good environmental governance principles were chosen for this assessment:

- ◆ **openness (transparency)**
- ◆ **participation**
- ◆ **accountability**
- ◆ **effectiveness**
- ◆ **coherence.**

As well as we assessed the **good environmental governance concept application** as a separate component, which later was not compared in score with other 5.

The assessment aims at measuring the progress of Georgia, Moldova, and Ukraine towards good environmental governance, as well as identifying common challenges and proposing recommendations how to improve the situation.

The assessment regarding Ukraine was made on the basis of information that was available

until February 24, 2022, since, in connection with the state of war in the country, part of the information is currently closed for security reasons.

The main questions to assess the good environmental governance components include:

1. Is the concept of the good environmental governance reflected in the strategic policy documents and taking into account at the process of implementation of reforms in different sectors?
2. Is transparency (openness) ensured as a principle of good environmental governance in the sense that processes, institutions and information are freely available to citizens?
3. Is the principle of participation in the adoption of environmentally significant decisions / policies by public authorities fully implemented at all stages of the policy cycle (from concept to implementation)?
4. How the principle of accountability is implemented, including the clear and available system of reporting?
5. Are environmental policies and institutions effective, including measurable objectives?
6. Is the state policy in the field of environmental protection coherent, including horizontal and vertical coherence?

State of play and conclusions

Table 1. Good environmental governance assessment results for Georgia, Moldova, and Ukraine

Chapter		Country assessment result (%)		
		Georgia	Moldova	Ukraine
I	Concept application	44.4	55.6	77.8
II	Transparency	39.1	64.3	73.0
III	Participation	30.0	52.1	64.6
IV	Accountability	47.4	46.3	64.1
V	Effectiveness	35.2	51.0	51.0
VI	Coherence	28.6	44.3	47.1
Σ	Total	37.5	52.3	62.9

Conclusions

According to assessment's results, **overall state of play** on the implementation of GEG principles in 3 countries range from 37.5% in Georgia to 62.9% in Ukraine. Moldova is in the middle with 52.3%. The difference between minimum rate of all components among three countries (Georgia, 28.6%, coherence) and maximum rate (Ukraine, 73.0%, transparency) demonstrate regional amplitude of changes among assessed countries, as well as it does inside each country. Hence, ratio between min and max is: ca. 20 in Georgia, 20 in Moldova and ca. 25 in Ukraine. It means that despite of certain progress, the development of transparency, participation, accountability, effectiveness and coherence of the environmental policy and its governance model still remains a big challenge for post-soviet societies, though there are numerous signs of optimism.

The highest rate among 3 countries on the **GEG concept application** was obtained in Ukraine, Moldova - second and Georgia is closing this range. Indeed, except Ukraine, Good environmental governance concept/principals are not directly mentioned in official national strategic documents or soft documents, however civil society in all three countries carry out permanent dialogue to raise awareness and advocate for GEG approach implementation supported by dedicated projects.

Relatively high level of **transparency** (tested through sophisticated questionnaire) is confirmed in Ukraine (first place) and Moldova (second), and Georgia follows. Factors, which influenced the rate on transparency, went beyond just availability, but also take into account the coordination, systematization and easy access. Finally, it leads to key-solution of maintaining singular automated system with portal providing integrated access to various environmental data sets. Such singular automated system of environmental information based on digitalization reform is on its way, still fragmented though, most advanced in Ukraine and Moldova, and started in Georgia too. In terms of staff behaviour, while Georgia makes it impossible to obtain complete information even upon formalized public request, Moldova notices high openness only among some departments of MoE, and Ukraine states that culture of transparency, as well as Aarhus Convention skills are being deteriorated due to high human resources flow. At the same time, many on-line information and data sources are currently closed in Ukraine on security reasons in war time.

With **participation**, a big gap was identified between Georgia, on the one hand, and Moldova and Ukraine, on the other hand, when the latter countries demonstrated almost or more than twice superiority in rate in compare with Georgia; Ukraine being the

first. Among main indicators were: transparent and clear procedures, compliance with them, involvement into the decision-making at the early stage, participation in the EIA and SEA, feed-back on public comments. While Georgia demonstrates lack of clear procedures to implement declarative laws, which causes poor interaction with civil society and even enabled secret decision on changing status of 1000 ha nature protection land to hunting land, Moldova's CSOs enjoy strong influence to MPs decision-making and Ukraine's shortcomings has moderate magnitude, e.g. the same as in all three countries, there is a need to organize a systematic feed-back on taking into account or explaining why the public comments/suggestions were not taken into account. Another, common for all three countries, problem is PP in the monitoring and evaluation of the implementation of policies, plans and programs. CSOs and its coalitions of each three country regularly issue various shadow reports with numerous recommendations for the MoE, so there is enough ground for open dialogue and discussion, which is limited so far. Stakeholders' involvement into PP is concentrated at NGOs and business, MoEs has no strategy and structural approach to expand the participation of women and youth groups, as well as farmers, indigenous people etc.

As for **accountability**, Georgia and Moldova assessed it nearly the same, yet lower than 50% of the benchmark, while Ukraine obtained 14% higher than a half. Here, the major problem in all countries is connected to availability of regular reports on environmental policy implementation and environmental expenditures, also its quality, public involvement and feed-back on public comments. All profiled Ministries are informing at their web-sites about the structure and mission, strategic planning and activities of the Ministry, though latter mainly in news format. All Ministries and local authorities have problems with systematisation of reporting on environmental policy implementation, while Georgia is discussing regulation on environmental reporting in the Parliament, Ukraine should annually prepare reports on the implementation of the State Environmental Policy of Ukraine and the implementation of the National Action Plan for the Implementation of

the State Environmental Strategy (2019), but no such report was ever issued. Moldova also requires more clearance about reporting, all countries not only need to distinguish reporting on MoE annual action plan conduction, on state of environment and on implementation of environmental policy using measurable indicators, but also establish connection between these 3 types of reports. All countries require proper regulation about providing public feed-back to public comments.

Moldova and Ukraine assessed the **effectiveness** the same (about 50% of a benchmark), while Georgia went much lower with 35%. Here we could highlight the gap between strategic planning, legislation adoption and its practical implementation. Institutional weaknesses, ineffective financial management, outdated environmental monitoring systems and interruptive connection between state-of-environment information and decision-making, which influenced the result. It is important to mention that all three countries went recently through experiment of merging Ministry of Environment with other Ministries – Ministry of Agriculture (Georgia, Moldova) and Ministry of Energy (Ukraine). Prematurely aped from some EU countries experience, such merging caused subordination of environmental domain of development policy to economic sectors, which supposed to be regulated against environmental harm. The experiment caused loses in professional staff, ability to manage environmental policy implementation in general and environmental information in particular, shrunken state environmental budget, deteriorated values and mission of environmental protection, thus seriously weakened state environmental agenda and institutional memory. While Moldova (2021) and Ukraine (2020) finally returned to status quo, Georgia is still struggling with such “institutional reform”.

At the same time, the Association Agreement's Environmental chapters implementation are progressing at the level of laws approximation to *acquis communautaire*. All countries' assessments shown that the legislative basis is being set more or less successfully, but there is a lack of functioning instruments and

implementing mechanisms. The effectiveness of the implementation of the AAs will be even more important taking into account status of Moldova and Ukraine, as well as further European integration aspirations of Georgia.

The **coherence** of environmental and climate policy and governance in three countries is challenged with decentralization reforms and persistence of not taking into priority the cross-cutting requirements of environmental policy and its integration, what is legally binding in the EU. All countries obtained the rate lower than 50%, Ukraine is the highest and Moldova second, closed to 50% of benchmark, while Georgia went lower than 30%. Main challenges are associated with inconsistency between different official strategic documents, lack of coordination between different levels and institutions of power, lack of legal regulation and good practice. The lowest rate in Coherence component in all three countries was obtained by accountability section, since different levels of power mainly don't report regularly on environmentally concerned activities, either not providing the feed-back to the public. The section on international environmental agreements and leadership received the best rating in the framework of Coherence. It underlines the importance of international cooperation for environmental reforms in AA countries.

Among the recent trends in the Coherence component, we can highlight the strengthening of the role of climate and environmental issues in the policy development, both at the national and regional levels in Moldova and Ukraine. In particular, in this context, we can mention the recently adopted National Economic Strategy until 2030, Regional Development Strategy until 2027, Strategy for Environmental Security and Adaptation to Climate Change until 2030, as well as attention to issues of green transformation at the city level in Ukraine; and the Country programming framework for inclusive and sustainable industrial development Republic of Moldova 2019 - 2023, Energy strategy of the Republic of Moldova up to 2030, also the Greening Program of Small and Medium Enterprises (Government Decision 592/2019 from 27.11.2019) and the

recently adopted Law on the atmospheric air in Moldova.

Main findings from Georgia

Good environmental governance concept application

Good environmental governance as a concept is reflected in the main strategic documents of Georgia in the field of environmental protection. It did not receive a very high rating – 44.4%. The relatively low rating is justified by the lack of principles of state environmental policy in the state strategic documents. Even though the main tasks set by the association agreement are reflected in the documents and active work has been carried out recently to improve management, it is not yet possible to say that this is effective. The improvement and development of the state system in the environmental sphere depends primarily on the creation of an effective institutional system.

Transparency

The principle of transparency received an average rating compared to other components of the good environmental governance – 39.1%. It is important to note that the compliance with this principle depends more on the Ministry of Environmental Protection and Agriculture (the Ministry) than on other central bodies or authorities at different levels. Despite many categories of information available online, it is scattered among different departments and sometimes is not available without the help of “acquaintances”. It should also be noted that after the institutional reforms that took place in 2017 issues related to the management of mineral resources were transferred to another department, namely to the Ministry of Economy and Sustainable Development. The latest institutional reform that took place within the Ministry (the department for environmental permits was transferred from the ministry to the Environmental Agency) made the access to information on EIA more difficult. Regardless of the promises to create a single platform, it has not yet been created and is in test mode.

Despite the fact that the information is more or less available, it is impossible to obtain complete information even upon request, and you often have to resort to “acquaintances”.

According to the Ministry, they are working on creation of an open database of environmental information as part of the “open government” program.

Participation

Participation component scored the lowest after Coherence – 30%. This can be explained primarily by the instability of the institutional system, the secrecy of information and its low availability to citizens living in the regions, serious shortcomings that persist in the process of organizing public participation. Despite the fact that in many aspects public participation is enshrined in law, there is no real participation of the public in the decision-making process. Practically all existing procedures need to be improved.

The public is almost not informed about the results of considering the comments submitted regarding the draft document or decision at the Ministry level. Only those who directly participated in the discussions are informed. There are serious problems associated with the involvement of the public in the preparation of a decision at an early stage. Virtually there is no stakeholder involvement except for NGOs and business who are participating only in discussions but not in decision making, there is no strategy and structured approach to increase the participation of women and youth groups, as well as farmers, indigenous peoples, etc.

It should also be considered that some areas of economic activity that affect the environment are not subject to EIA and SEA procedures. For this reason, many decisions made are without approval and preliminary discussions with the public. For example, this year the Ministry made a decision to create a hunting territory in the Oni municipality covering almost 1000 hectares. This is not only forest land and private land, but it is in the main territory of the future National Park. This caused serious unrest both among the local of population and among environmental organizations.

It should also be noted that the public does not always have the necessary skills to participate, this is partially due to lack awareness or capacity of civil society.

Accountability

The accountability component received the highest score compared to the other components of the good environmental governance – 47.4%. Despite high score for a number of issues in this component, there are still problematic elements in this important block of good environmental governance.

Compared to other components, when evaluating this part, almost all evaluation indicators received an average rating, which ensured a high rating compared to other components. Yet, the documents adopted by the Ministry require more clarity, more information is needed on the implementation of the already adopted strategic documents and action plans.

The reporting system in the country requires clear regulation at the legislative level as there is always a question about the possibility of the public to take part in the discussion of annual reports. Today, these procedural issues are being discussed in the Parliament.

Effectiveness

The Effectiveness component received relatively low score compared to the other components of the good environmental governance - 35.2%. Despite a number of positive progressive changes, additional efforts and accelerated progress are needed to ensure the effectiveness of environmental and climate policy in Georgia.

The issue of adoption of documents to implement the Association Agreement received an average rating in the framework of Effectiveness. First of all, we are talking about the stage of planning the implementation of the provisions of the Association Agreement. None of the adopted strategic documents, provide for a mechanism for the implementation of this document. Unfortunately, the adopted strategic documents are not an absolute guarantee of

mandatory execution. It should also be noted that the adopted basic documents are not coordinated with each other.

The institutional capacity issues remain very important in the context of effectiveness.

The effectiveness of environmental policies depends on the strict adherence to the law and the institutional system. The lack of implementation mechanisms for the laws that have been passed remains a serious challenge for an effective environmental policy. One good example is the quality of reports within the EIA, but the reason for that would be the lack of secondary legal (normative) acts for the preparation of EIA and SEA documentation.

Coherence

The Coherence section was rated the lowest compared to other components of the good environmental governance – 28.6%. This means that despite recent trends to increase the priority of environmental and climate issues on the national agenda, they are still not taken into account in all areas of the economy and everyday life. It should be particularly noted that while quite several laws and strategic documents have recently been adopted to implement the Associated Agreement and to create the good environmental governance, the consistency of these documents with each other is problematic.

The policies that are implemented in the sphere of environmental protection aren't always directed towards achieving specific results.

Main findings from Moldova

Good environmental governance concept application

The implementation of the good environmental governance concept received the second rating compared to other components - 55.6%. It means that GEG principles are discussed and reflected in the main strategic documents of environmental protection, but are not directly mentioned within the main documents that are developed (strategies, plan of actions, laws etc)

in areas other than the environment.

Transparency

The Openness (Transparency) component has received the highest rating among the 6 components of the questionnaire – 64.3%. The Ministry of Environment (MoE) informs about its activities and actions through its website and Facebook page. But there is small and sporadic communication with the civil society and other stakeholders. Despite permanent communication on activities there is no easily accessible information regarding the reporting on the implemented policies or the international treaties to which Moldova is a party or participates in the Working Groups.

In 2021 the Green Growth Indicators have been developed and placed on a web platform, freely and easily accessible via the MoE website. A range of national registers exist but it is quite difficult to find some hints on where they can be found.

There is even no visible information on where to find environmental data (references to the Environment Agency, Statistics or Environment Inspectorate).

There is no national environmental automated system for provision of the environmental information despite the digitalization of the processes (launched in 2021 and only some of the most urgent platforms were developed so far).

The data portal on waste reporting is developed and accessible, but only limited information is available for general public. Some of the cadastres (ex. water cadastre) are under development for several years and information is available upon request only and some general mappings are available through the national geoportal platform.

The behaviour regarding the data openness is average – there are some departments with a higher rate of openness (in particular, water and waste departments).

Participation

Participation section received the third high rating – 52.1% in compare with other. Public participation is ensured according to the national law by the announcement of the public consultations sessions and also by placing relevant documents on a public portal for civic participation www.particip.gov.md. However, there is no feedback to the public input during consultations.

MoE is actively cooperating with the CSOs. CSOs have a strong voice and are actively participating in decision-making, during public consultations. One of the recent examples is the amendments to the Waste law. Even though it was considered in the plenary session of the Parliament, it has not been approved because of a strong reaction from several environmental NGOs. After a careful review of the CSOs feedback, it was modified accordingly and approved at a later stage (4-month difference).

Strengthening of the CSOs and other involved public participation at an early stage and monitoring and evaluation of the implementation of policies, plans and programs is needed.

Accountability

Accountability section received pre-last rate among other components – 46,3%. It shows that there is no clear reporting (for example on the spent budget on the environment part). After the MoE was reinstated in 2021, there is a chance that some things will change in 2022.

The best score is for the explanation of the structure and functionality of the MoE. The structure and its mission is clearly described on its website. Also MoE is constantly and periodically communicating about its activities or important events (meetings, workshops, conferences attended etc.) via its website or Facebook page, but unfortunately there is no procedure or mechanism for the provision of a feedback from the public on the reports issued.

MoE or its subordinated institutions are issuing

annual reports on the executed plan/program of actions. Reports on specific strategies are also issued, but not all of them are available through the MoE website for example. There is a need for a further improvement on the accountability and transparency as some of the information is not disclosed or it does not include important issues and not discussed with some of the target groups or stakeholders.

Effectiveness

Effectiveness section has almost the same rating as the Participation component and is relatively high on ranking – 51%. On average, the environmental legislation and policies are sufficient, but the implementation and monitoring of implementation is sometimes lacking. For example, there is still a perception among local authorities that EIA and SEA are tools that are not important and useless for their projects, as they only see it as a bureaucratic process rather an impactful one.

The efficiency of the environmental policy received the highest score within the Effectiveness part. Indeed, there is National Environmental Strategy that has been adopted at the national level and sectorial strategies were developed. Despite their existence, no regular reporting is available for all the sectorial strategies and only few of the local authorities included environmental or climate change components into their local development strategies or plans.

The issue of progress in the specific areas has received the worst evaluation. Even though there is a significant progress in the air, waste and chemicals sectors, there is more space for improvements. The legislative basis is being set, but there are no functional instruments that would move the processes and put them into operation.

The most advanced sectors are water management, nature protection and industrial pollution and hazards. Although the EIA and SEA legislation is updated, there are few successful cases when SEA or EIA has been fully implemented for the project or activity

development and assessment.

It is worth mentioning that the behaviour element has also received the worst evaluation. That can be explained by the low scoring of the efficiency of the environmental institutions' element. There is an urgent need for strengthening institutional capacity because MoE was re-established in 2021 and that there is a need for a good and wise communication strategy for the environmental dimension.

Coherence

The coherence section received the lowest rating in comparison with other components of the good environmental governance – 44.3%. This means that despite the recent efforts to increase the priority of environmental and especially climate issues on the national agenda, these issues are still not properly considered in all spheres of the economy and daily life.

The element on international environmental agreements and leadership received the best rating in the framework of Coherence. This is primarily due to the growing role of climate and renewable energy issues on the national agenda in connection with Moldova aspirations to be part of the European Green Deal and active participation in international climate processes. Good examples of green leadership at the international level are the presidency of Moldova in the ICPDR in 2020 (the issue of reducing impact of agriculture on freshwater is among the priority topics of the program of the presidency of Moldova). Moldova has updated its NDC in 2020, but there is no formalized adaptation of the Sustainable Development Goals. A new strategic document „Moldova 2030” has been developed but not adopted in 2017. Currently, a new „Moldova 2030” document is under development, and public consultations are held. The Moldova 2030 Development Strategy will encompass the 17 SDGs. The indicators for the SDG have been adapted in 2017 and indicators of achievement of sustainable development goals are monitored.

The issue of accountability received the worst score in the framework of Coherence, as the MoE and sectoral ministries and the Office of

the President are not implementing modern practices of informing about their decisions that have an impact on the environment, considering public opinion and feedback on environmental issues. At the regional level environmental impact just started to be implemented in all development strategies and local development plans.

Regarding the consideration of gender and youth issues in environmental policy, it is quite similar to the accountability for the environmental sector – practices of implementing and considering youth and gender issues are at the initial stage of development and mainstreaming into local policies. Yet, the national strategies and the implementation of the SDGs consider gender and youth issues.

It is worth mentioning that within the Coherence component, we can highlight the strengthening of the role of climate and environmental issues in the policy development, both at the national and regional levels. In this context, we can mention the Country programming framework for inclusive and sustainable industrial development Republic of Moldova 2019 - 2023, Energy strategy of the Republic of Moldova up to 2030, also the Greening Program of Small and Medium Enterprises (Government Decision 592/2019 from 27.11.2019) and the recently adopted Law on the atmospheric air.

Main findings from Ukraine

Good environmental governance concept application

Good environmental governance as a concept is reflected in the main strategic documents of Ukraine in the field of environmental protection, which is why it received a high rating – 77.8%. The Strategy of the State Environmental Policy provides for the “implementation of the principles of good environmental governance, support of constant dialogue with interested parties regarding the preparation and adoption of strategic decisions” (among the tasks of Objective 5 “Improvement and development of the state system of environmental management”), and also contains its individual components and a number of indicators that

can be used to estimate GEG.

Transparency

The Transparency principle received the highest rate in comparison with other components of the good environmental governance – 73.0%. It is important to note that compliance with this principle depends more on the Ministry of Environment (MoE) itself than on other Central bodies or authorities of different levels. Despite of many categories of information accessible on-line, it still requires better structuring and systematization. E.g., there is still very difficult to find information about working groups functioning within MoE, even the list of such groups is not available.

MoE provides good access to open data sets via own web-site and unified state web-portal of open data, according to the Law of Ukraine on Access to Public Information (2011) and CMU Decree “On approval of the Regulation on data sets to be made public in the form of open data”. In 2017, the systematization of and access to 31 sets of data were conducted by the MoE, 35 were claimed in April 2021. However, later in October 2021, 66 (or even 80, in the end of 2021) registers were claimed as the part of newly established “Ecosystem” state web-portal, which is currently functioning improperly due to war restrictions. In addition, some registers were not updated since 2017.

MoE demonstrates progress in digitalization since the Digital transformation plan was developed in 2020 (for each Ministry, 12 projects assigned to the MoE), the Law “Paperless” (on digitalization of public services) was adopted mid 2021. For example, in May 2022, MoE launched a new app for smartphones and web resource “Ecothreat” - the official web resource and mobile application of the Ministry of Environment, thanks to which everyone will be able to find out reliable information about the state of air, water, soil and other environmental data and report about environmental crime made by Russian invaders. On October 2021, CMU approved Decree on Unified ecological platform “Ecosystem” - the state-wide ecological automated information and analytical system for providing access to

environmental information and its network, which ensures the creation, collection, receipt, storage, use, distribution, guarding, protection of information, as well as electronic interaction between physical and legal entities, physical persons - entrepreneurs, by entities providing administrative services, entities providing public (electronic public) services, centres providing administrative services for the purpose of obtaining administrative and other public (electronic public) services in the field of environmental protection, which among other deals with systematization and transformation into digital format of the environmental information to provide access for public.

Behaviour of civil servants, the atmosphere as a whole concerning transparency/ openness was reduced on some directions, e.g. designation of NPP directors (which became closed suddenly in 2020 after several years of full openness). It seems that new MoE officials are not being trained about the Aarhus Convention, legislation and culture of transparency and public information provision after designation, while human resources flow remains high.

Participation

The Participation component received the second highest score after Transparency - 64.6% (though, almost 10 point less). It could be explained by number of shortcomings, which still remain in the organization of public participation process. Public is almost not being informed about the results of taking into account or not taking into account the comments provided to the draft document/ decision at the level of the MoE. There are still some problems associated with public involvement to the decision preparation at the early stage. Stakeholders’ involvement is concentrated at NGOs and business, no strategy and structural approach to expand the participation of women and youth groups, as well as farmers, indigenous people etc.

According to CMU Decree No. 996 On ensuring public participation in the formation and implementation of state policy, MoE provides for participation of civil society. However, for environmental public participation, the Aarhus

Convention requires wider than that Decree's obligations.

Major problems of public participation are detected in the monitoring and evaluation of the implementation of policies, plans and programs. On the one hand, it could be explained by the fact, that MoE by itself is quite imperfect in evaluating itself, so, despite the requirements of the Law on State Environmental Strategy (2019), annual reports on Environmental policy implementation have not been issued ever. On the other hand, CSOs and its coalitions regularly issue various shadow reports with numerous recommendations for the MoE, so there is enough ground for open dialogue and discussion, which is quite limited so far. Instead, MoE issues regular reports on its annual plan implementation, which is being discussed with a public council within MoE.

CSOs and its platforms and coalitions play the prominent role in the decision-making on environmental and climate reforms implementation, what was recently confirmed by their active participation in preparation of draft National plan of post-wat recovery. Environmental CSOs took part in numerous working groups including agriculture, economy, etc.

In terms of MoE staff behaviour, the feedback could be better organised on taking into account or explaining why of public comments/suggestions were not taken into account.

Accountability

The Accountability component received an average rating in comparison with other components of the good environmental governance – 64.1%. This means that the assessment of a number of issues of this component is quite high, however, there are still problematic points in this important element of good environmental governance.

The best grades in the framework of Accountability were given to the issue of informing about the structure, strategic planning and activities of the Ministry of Environmental Protection and Natural

Resources itself. This is primarily due to regular updates of information on the website of the MoE and especially on the Facebook page. Although such information is covered mainly in the format of news, nevertheless, it gives an understanding of which issues are prioritized and on the agenda, which legal acts are being developed or adopted, which initiatives are being implemented both at the national and international levels.

The issue of preparation by the MoE of reports on environmental policy, which are actually absent, received the lowest scores within the accountability component. According to the State Environmental Strategy, the Ministry is obliged to annually prepare reports on the implementation of the State Environmental Policy of Ukraine and the implementation of the National Action Plan for the Implementation of the Strategy, but no such report was ever prepared. The monitoring of indicators of the state environmental policy of Ukraine contained in the State Environmental Strategy was independently carried out within the EU4Environment project by the Resource and Analysis Centre "Society and Environment".

Nevertheless, national reports on the state of the environment and regional reports on the state of the environment (at the level of regions) are prepared and made public regularly, but the question of formalistic approaches to the formation of such reports and the involvement of the public in this process remains open.

Also, the issue of feedback needs a special attention: when the MoE must inform about the taking into account certain comments and suggestions of the public collected during the consultations. However, despite the positive examples, the issue needs proper regulation and systematic approach.

Effectiveness

The Effectiveness component received an average rating in comparison with other components of the good environmental governance – 51.0%. This means that despite several positive progressive changes, the issue of ensuring the effectiveness of environmental

and climate policy in Ukraine still requires additional efforts and acceleration of progress.

The sub-element on the adoption of documents for the implementation of the Association Agreement received the best evaluation in the framework of Effectiveness. First of all, we are talking about the stage of planning the implementation of the provisions of the Association Agreement. In particular, in 2017, the Cabinet of Ministers of Ukraine adopted a comprehensive Action Plan for the implementation of the Association Agreement, which contains specific tasks, deadlines and institutions responsible for implementation. In addition, the monitoring of the implementation of the Association Agreement was introduced - the online tool “Pulse of the Agreement”, which makes it possible to monitor the fulfilment of the obligations under the Agreement, as well as the overall progress by sectors, as well as by time and by certain indicators. As a positive achievement, we can also single out the tendency to include quantitative indicators in strategic planning documents both in general environmental policy (Strategy of State Environmental Policy) and in sectoral issues (forests, adaptation to climate change, etc.).

The issue of practical implementation in the environmental and climate spheres received the worst evaluation in the framework of Effectiveness. The progress of the enforcement of the adopted legislation and policies differs in different areas. The most advanced are the areas of environmental governance and horizontal legislation (EIA, SEA), as well as water resources management. In the field of climate policy, although significant progress has been observed in recent years (the adoption of the ambitious second NDC, the Strategy for Environmental Security and Adaptation to Climate Change, legislation on monitoring, reporting and verification of greenhouse gas emissions), however, the issue of implementing the emissions trading system is still far from being implemented.

Among the important issues in the Effectiveness component, the issue of institutional capacity should be highlighted. Although in quantitative terms the Ministry has sufficient personnel to

ensure strategic planning, involvement of the public, and communication of its key messages, there is a need to strengthen its capacity, in particular, taking into account future challenges regarding the need to implement the environmental and climate acquis in connection with Ukraine’s obtaining the status of a candidate country in the EU.

Coherence

The Coherence section did not receive a very high rating in comparison with other components of the good environmental governance – 47.1%. This means that despite the recent trends to increase the priority of environmental and especially climate issues on the national agenda, these issues are still not properly taken into account in all spheres of the economy and daily life.

The component of international environmental agreements and leadership received the best rating in the framework of Coherence. This is primarily due to the growing role of climate issues on the national agenda in connection with Ukraine’s aspirations to be part of the European Green Deal and active participation in international climate processes. Good examples of green leadership at the international level are the presidency of Ukraine in the EU Strategy for the Danube region (the issue of decarbonization is among the priority topics of the program of the presidency of Ukraine) and in the Energy Community (the issue of the transition to clean energy and the development of energy and climate plans are important priorities of the Community’s work in last years). Ukraine’s implementation of the Sustainable Development Goals strengthens this component: on September 30, 2019, the President of Ukraine issued the Decree “On the Sustainable Development Goals of Ukraine for the period until 2030”, in which he supported ensuring the achievement of the global goals of sustainable development and the results of their adaptation, taking into account the specifics of Ukraine’s development; the National Report “Sustainable Development Goals: Ukraine” is prepared annually; indicators of achievement of sustainable development goals are monitored.

The component of accountability received the worst score in the framework of Coherence, as the sectoral ministries and the Office of the President are still not ready for modern practices of informing about their decisions that have an impact on the environment, taking into account public opinion and feedback on environmental issues. A similar situation is observed at the regional level.

Regarding the consideration of gender and youth issues in environmental policy, it is currently at the initial stage and has a sporadic and unsystematic character. In particular, the Strategy of the State Environmental Policy of Ukraine until 2030 does not take into account the special role of women and youth in the process of development and implementation

of environmental policy. However, gender and youth aspects are taken into account in the context of the implementation of the Sustainable Development Goals.

Among the trends in the Coherence component, we can highlight the strengthening of the role of climate and environmental issues in the policy development, both at the national and regional levels. In particular, in this context, we can mention the recently adopted National Economic Strategy until 2030, Regional Development Strategy until 2027, Strategy for Environmental Security and Adaptation to Climate Change until 2030, as well as attention to issues of green transformation at the city level.

Recommendations

To strengthen the public dialog on good environmental governance issues, including in the context of EU requirements for the EU membership.

To elaborate the clear vision of the good environmental governance in Georgia, Moldova, and Ukraine, as well as detailed road map or action plan for implementation.

To ensure good environmental governance principles are well integrated into official national strategic documents or soft documents in the field of environment and climate change.

To regularly monitor the stay of play with GEG in counties and regionally. In this context the independent monitoring by NGOs is very important to ensure the process of proper implementation of the GEG principles.

To ensure that all procedures approved by the national legislation and international law (for example, Aarhus convention) regarding access to information and public participation are practically implemented by the state authorities. It is necessary to apply the structural approach in cooperation with major stakeholder groups and expand the participation of women and youth groups, as well as farmers, indigenous people etc. in the environment and climate related processes.

To ensure regular reporting on environmental policy implementation and environmental expenditures by state bodies and local authorities and its easy accessibility for the public.

To synchronize actions to achieve the GEG according to the different processes in the countries, namely international requirements,

Association Agreements, future requirements of the EU membership, post-war recovery architecture in the region, European Green Deal, etc.

To demonstrate a leadership in the EaP region regarding implementation of the GEG principles.

To accelerate the pace of reforms in the field of environmental protection and climate change in Georgia, Moldova, and Ukraine, including implementation of the relevant EU acquis. It is extremely important to take into account national specific situations and capabilities. The adopted decisions should not only serve the purposes of reporting to the European Commission, but also work successfully in practice, thereby implementing European approaches and standards.

To raise the capacity of state institutions, which is important prerequisite for effective implementation of the EU legislation. To make sure that the Ministry of Environment is not merged with any other economic sectors ministries. To implement environmental institutional reforms via distributing/separating functions of formulating policy, implementing policy and supervising/controlling its implementation between Ministry of Environment, Environmental Agency and Inspectorate.

To pay special attention to performance and compliance with adopted legislation.

To take into account new EU trends, mainly towards European Green Deal goals and tasks implementation.

To support advocacy campaigns based on this assessment findings.

Annexes

Annex I. Good environmental governance assessment in Georgia

I. Good environmental governance (GEG) concept application						
№	Indicator (Question)	Yes			No	Verification/ comments
		Exc	Adeq	Poor		
		(3)	(2)	(1)	(0)	
1.	Whether GEG as a concept and/ or GEG principles reflected in the adopted strategic policy documents?			1		Partially reflected only in those documents that are prepared in accordance with the associated agreement with the European Union, for example: The National Waste Management Strategy 2016-2030 and an Action Plan 2016-2020 https://mepa.gov.ge/En/PublicInformation/20/
2.	Is GEG as an important direction of reforms being a subject of the dialogue (s) in the society?	3				GEG is the main topic of dialogues happening in society, especially in recent times in connection with conflicts on the ground with the population over the decisions made. A good example would be the discussion regarding the Hydroelectric plant in Namokhvani, talks by NECAP, discussion by NEAP.
3.	Are there projects/ publications/ soft official documents reflecting/ implementing GEG being existed?			1		Yes, current project “Advocating for good environmental governance in the EaP region”.
Total score						4 points out of 9, 44.4%

II. Transparency (Openness)						
№	Indicator (Question)	Yes			No	Verification/ comments
		Exc	Adeq	Poor		
		(3)	(2)	(1)	(0)	
1.	Does MoE ¹¹ provide access to the information at its disposal?			1,45		Yes, upon written request. Yes, full information can only be obtained upon written request.
	1) information on the organizational structure, mission, functions, powers, main tasks, activities and financial resources (structure and amount of budget funds, the procedure and mechanism of their spending, etc.);			1		This information is available on the website of the Ministry of Environmental Protection and Agriculture of Georgia https://mepa.gov.ge/ but it should be taken into account that searching for information on the site is not always convenient.
	2) regulations, acts of individual action (except for internal ones) adopted by MoE, draft decisions to be discussed, information on the legal basis of activity;		2			Available on the website of the Ministry of Justice https://matsne.gov.ge/ka Unfortunately, this information is not available on the website of the Ministry of Environment and Agriculture itself.
	3) list and conditions of obtaining services provided by these bodies, forms and samples of documents, rules of their filling;			1		Those are available that are fixed by law, but unfortunately do not work well on the websites of the ministry (meaning fillable forms for maintaining registers) An individual or legal entity needs the help of ministry employees almost always due to the difficulty of finding the necessary information.
	4) the procedure for compiling, submitting a request for information, appealing against decisions of information manager(s) ¹² , actions or inaction;			1		Yes, but not effective. The help of an employee of the Ministry is always required when searching for filling out a request or appealing a decision online. For this reason, very often this action takes place in shifts and not online.

¹¹ Ministry of Environmental Protection and Natural Resources of Ukraine or Ministry of Environment of the Republic of Moldova or Ministry of Environmental Protection and Agriculture of Georgia.

¹² Information manager is an entity that have responsibilities (determined by law) for the disclosure and provision of public information in its possession.

5) information on the information accounting system, types of information stored by the manager;					Not available.
6) a list of data sets that are published in the form of open data, including the Register of data sets in possession by the information manager;				o	Environmental and meteorological data Information about the environmental solution, etc. https://mepa.gov.ge/ ; https://nea.gov.ge/ ; Despite the fact that the information is located on the sites, the search for the necessary information is difficult because you have to move from one site to another; it takes a lot of time and it is preferable to contact the structure and so get information or advice where to look.
7) information on the mechanisms or procedures by which the public may represent its interests or otherwise ways to influence the implementation of the powers of the information manager;			1		Not formalized. The procedure is not formalized, and for this reason it is difficult, as a rule, to take part in decision-making and even in discussion; always have to resort to the help of "knowledgeable people".
8) plans of conduction and agenda of its open meetings;			1		Published on website.
9) location of places where the necessary forms and blanks of the institution are provided to applicants;		2			Information available, but to clarify where you can get the necessary forms, in which department exactly, you need to specify by calling the hotline of the ministry or you need to go to the ministry directly (an ordinary person has to spend a lot of time technically).
10) general rules of the institution, rules of internal labor regulations;		2			Information available, but unfortunately not always clear and you have to resort to the help of "knowledgeable persons".
11) reports, including on the satisfaction of requests for information;		2			Published periodically, publication of this information is not always timely.
12) administrative information, namely:			1		
a) their location, postal address, communication numbers, official website and e-mail addresses;			1,5		Yes https://mepa.gov.ge/Ge/MinistryContact https://mepa.gov.ge/Ge/Regions https://mepa.gov.ge/Ge/Units but this information needs to be searched for a long time and the site is not always updated.

b) last name, first name and patronymic, official numbers of communication means, e-mail addresses of the head of the body and his deputies, as well as heads of structural and regional subdivisions, the main functions of structural and regional subdivisions, except in cases when this information belongs to limited access list;			1	The information is not directly accessible; it is possible to obtain it upon official request. However, it should be noted, that detailed information about the contact person through whom it is possible to obtain the necessary information is available. https://mepa.gov.ge/Ge/MinistryContact https://mepa.gov.ge/Ge/Regions https://mepa.gov.ge/Ge/Units but you still have to call and get information about the heads of departments by calling the hotline.
c) work schedule and public's reception schedule;			1	Defined formally and enshrined in law, but in practice you have to wait and sign up with the secretaries.
d) vacancies, the procedure and conditions of the competition to fill vacancies.		2		Published periodically, but "searchers" believe that it is very difficult to get an interview, although there are exceptions.
13) Directory of enterprises, institutions and organizations of the information manager and its affiliates, including their identification codes, official websites, e-mail addresses, telephone numbers and addresses;	3			Publicly available, but due to the fact that with regard to this issue the site is not always updated, sometimes amusing incidents happen.
14) Standards that are approved and subject to publication in accordance with the law by the information manager;			0	If accepted, publicly available, but late in publishing.
15) Lists of national standards, which in case of voluntary application are proof of compliance of products with the requirements of technical regulations;			1	Appropriate assessments not carried out. There are national standards; in 2022 the adoption of new building standards is expected. Availability of standards ensured.
16) Administrative data collected (processed) and subject to disclosure in accordance with the requirements of the law by the information manager;		2		Information is provided only upon request, in accordance with the Georgian legislative framework. https://matsne.gov.ge/document/view/31702?publication=117

17) Lists of regulatory acts indicating the date of entry into force, the period of basic, repeated and periodic monitoring of their effectiveness and information about the place of their publication;	3				All laws and regulations are available on the website The Legislative Herald of Georgia https://matsne.gov.ge/en this site is the main legal site, it is freely available, if necessary, it is possible to purchase
18) Register of environmental auditors and legal entities entitled to conduct environmental audits;				0	There is none.
19) State Register of Pesticides and Agrochemicals Permitted for Use;		2			Owned and maintained by the Ministry of Environmental Protection and Agriculture of Georgia, but it is not always possible to find it on the site, thus you have to resort to a consultation. https://mepa.gov.ge/ http://nfa.gov.ge/Ge/PlantProtectionStatePrograms
20) Data from regional registers of waste generation, treatment and disposal facilities;				0	There is none.
21) State Cadastre of Fauna;				0	There is none.
22) State Cadastre of Flora;				0	There is none.
23) Red Book;		2			Law adopted in 2002 but it is impossible to find the red list on the website of the ministry, the normative act on the approval of the list and საქართველოს „წითელი ნუსხის“ დამტკიცების შესახებ Justice სსიპ „საქართველოს საკანონმდებლო მაცნე“ (matsne.gov.ge)
24) State cadastre of natural territories of resorts;				1	Not formalized, but some information about the resorts can be found on the website of the Department of Tourism of the Ministry of Economy https://gnta.ge/ge/%e1%83%a1%e1%83%90%e1%83%af%e1%83%90%e1%83%a0%e1%83%9d-%e1%83%98%e1%83%9c%e1%83%a4%e1%83%9d%e1%83%a0%e1%83%9b%e1%83%90%e1%83%aa%e1%83%98%e1%83%90/

25) State cadastre of territories and objects of the Nature Reserve Fund;	3				Regulated by the legislation of Georgia. Protected areas are registered in accordance with the law in the public register. Information is available on the websites of the Agency for Protected Areas and the Ministry of Justice. https://napr.gov.ge/ https://matsne.gov.ge/ka
26) Lists of licensees;			1		The procedure for maintaining a register of licenses depends on the type of a license, but the information is not freely available, however it may be obtained by inquiry.
27) List of sites that are the biggest polluters of the environment;			1		There is no official list or registry, but the information may be received by inquiry.
28) Information about protected areas;	3				Available on the website http://apa.gov.ge/ge/protected-areas
29) National ecological automated information-analytical system of providing access to ecological information;			1		A single shared government system isn't currently available at this time, however there is work being done in creating one. But the information may be received by inquiry.
30) Data on state tests and registration of pesticides and agrochemicals;			1		The register is maintained systematically, but information is not publicly available on websites, although some information can be found on the website http://nfa.gov.ge/Ge/ PlantProtectionStatePrograms on request.
31) Data from the state environmental monitoring system;			1		Does not fully cover the entire territory of Georgia. Published on the site https://nea.gov.ge/ But detailed information can be obtained only upon request and this information is paid.
32) Data from the National inventory of anthropogenic emissions and sinks of greenhouse gases.			1		Not systematized, no information in the public domain, but information exists and can be obtained upon request.
33) Information on the state of the environment (water, land, air, forests, biodiversity);			1		Water observations are carried out only at 50 points; There are only 6 fixed air observation posts and it is expected to add 3 more this year. There is no systematized observation of biodiversity and abrasion on the ground in the forest. Information is available on the website https://nea.gov.ge/

	34) List of multilateral international agreements on environmental protection, to which the country is a party, and the state of their implementation;		2			It is impossible to find on the website of the Ministry; therefore, I provide information withdrawn from the reports, information is available on the website of one of the agencies. http://eiec.gov.ge/Ge/MultilateralAgreements?page=2&pageSize=5
	35) List of Directives and Regulations to be Implemented according to the EU Association Agreement, as well as chapters related to the competence of the MoE;	3				Yes.
	36) List of confidential information restricted for public use (limited to official use only);		2			Regulated by law, these include information about commercial secrets, information about finances, but this information is hard to find on the website.
	37) EIA Registry		2			Implemented by the Ministry, but information must be sought, the search engine of the site does not always provide information.
	38) PRTR		2			Implemented by the Ministry. Information must be sought for a long time, it is better to resort to a written request.
	39) Does the ministry systematically respond to requests for information?		2			Yes, but sometimes late and not always complete information is provided.
2.	Is the legislation sufficient?				0	No.
3.	Is the information on the MoE website constantly updated?			1		Not regularly, website is not informative, information is hard to find.
4.	Is the information on the FB page permanently updated?			1		Covers only events, meetings.
5.	Does the MoE actively communicate its activities and decisions to general public?			1		Only about events (mainly the participation of the minister and deputies is covered, as well as meetings with donors).
6.	Is the language of this communication accessible to non-specialists?			1		No.

7.	Does the Ministry of Environment actively communicate with various stakeholder groups?			1		Inactive, no systematic approach to working with stakeholders.
8.	Is information on the start of decision preparation available at an early stage?				0	The information becomes available after the decision has been made, which causes concern to the public, or the information is published so that the public does not notice this information. An example is an auction held on a forest territory for a hunting economy in Oni municipality.
9.	At this stage, does the environmental monitoring system and the procedure of centralized data collection provide up-to-date environmental information?			1		Not fully implemented due to lack of observation posts.
10.	Does the collected data is being transformed into information for decision-making on a system basis?				0	No.
11.	Are the main UNECE environmental indicators currently being calculated? How many out of 42?			1		Yes, they are calculated in water resources management, by atmospheric air, by waste, by climate, but these documents are not available on the website of the ministries, but on another website https://www.geostat.ge/en/modules/categories/565/environmental-indicators
12.	Is the content of reforms in the context of the implementation of the AA sufficiently communicated?			2		Information available on the website https://mfa.gov.ge/%E1%83%94%E1%83%95%E1%83%A0%E1%83%9D%E1%83%9E%E1%83%A3%E1%83%9A%E1%83%98-%E1%83%93%E1%83%90-%E1%83%94%E1%83%95%E1%83%A0%E1%83%9D-%E1%83%90%E1%83%A2%E1%83%9A%E1%83%90%E1%83%9C%E1%83%A2%E1%83%98%E1%83%99%E1%83%A3%E1%83%A0%E1%83%98-%E1%83%98%E1%83%9C%E1%83%A2%E1%83%94%E1%83%92%E1%83%A0%E1%83%90-%E1%83%AA%E1%83%98%E1%83%90/asocirebis-dgis-cesrigis-angarishebi.aspx?lang=en-US This information is not available on the website of the Ministry of Environment.

13.	Is country actively cooperating with SEIS II / EEA to bring its information system in line with EU / UNECE requirements?		2		Collaborates and work is underway to improve the sites.
14.	Is there a list of Working Groups and its contact persons for communication on the website of the MoE?	3			Yes, all information is on the website.
15.	Is public procurement transparent?		2		The procedure is regulated by law, procurement data is published not clear.
16.	Have other transparency assessments of MoE been carried out, and if so, what is the result?			1	Conducted but not systematically and assessed the areas of activity but not fully. It should also be noted that the Parliament of Georgia has introduced a new procedure of investigation (examination) within the framework of control (supervision), as a result of which reports are prepared not only on the effectiveness of the implementation of legislation, but also on the effectiveness of the Ministry.
17.	What is a degree to which the digitalization being progressed?			1.6	Average Quite successfully, the pandemic was an additional incentive for the development of digitalization issues.
	1) Is there sufficient legal base?			1	The legal framework is not enough; new regulations are being prepared.
	2) Was the responsible senior official designated?			0	No.
	3) Whether new public instruments being developed during last 5 years?	3			Yes. Registration base created.
	4) Is number of users growing?	3			Yes.
	5) Is there a progress in building an integrated electronic environmental information system?			1	The ministry is doing some (certain) work, work is underway to improve the system, but it has not yet been completed.

18.	Behavior of civil servants, the atmosphere as a whole concerning transparency/ openness.			1		Despite the fact that the information is more or less available, it is impossible to obtain complete information even upon request, and you often have to resort to “acquaintances”. Although it should be noted that, according to the Ministry, they are working on creation of an open database as part of the “open government” program.
Total score						21.1 points out of 54, 39.1%

III. Participation						
№	Indicator (Question)	Yes			No	Verification/ comments
		Exc	Adeq	Poor		
		(3)	(2)	(1)	(0)	
1.	Is the public participation in the preparation of strategic decisions on environmental matters ensured?			1		Provided declaratively, but requires serious improvements at the legislative level and the creation of implementation mechanisms.
	1) Policies, plans, programs, where the MoE is the main developer, including Comprehensive Governmental programs and policy documents (Strategies, action plans) requiring consent by other Ministries of the Cabinet concerned;			1		Partially, not systematized Regulated by law under the Environmental Assessment Code https://matsne.gov.ge/en/document/view/3691981?publication=2 The law regulates public participation on a mandatory basis during the Strategic Environmental Assessment
	2) Preparation of normative legal acts: draft laws, decrees and orders of the government, orders of the MoE;			1		Public participation is not formalized, Occurs only at the request of public organizations.

	3) Decisions on planned activities that may affect the environment (EIA procedure).			1	Not transparent, public participation is formal in some cases. According to the Environmental Assessment Code https://matsne.gov.ge/en/document/view/3691981?publication=2 Public hearings are held under the EIA procedure during the scoping and when reviewing the EIA report, the problem is that according to the EIA procedure, the public should not only be present during public hearings, but should have the right to take part in decision-making.
	4) Decision on the appointment of heads of NRF objects.			0	Public participation in assigning heads of NRF objects is minimal.
	5) Is the public being informed about the results of taking into account or not taking into account the comments provided to the draft document/ decision at the level of the MoE?			1	Published on the site. According to the law, decisions on the adoption of environmental permits are published on the website, and this is how it happens. The issue is that in addition to the Environmental Permit, minutes of public hearings should also be published, but unfortunately, the minutes can only be obtained upon request. Only upon request you can get information about what was taken into account and what was not, and why this or that remark was not taken into account.
	6) Does the public have an influence on the decision of the MoE?			2	Yes, when making decisions on issuing an environmental permit, proposals from NGOs are noted in the conditions. On several occasions, under pressure from the public, the ministry did not take or reversed the decision. But this only happens when the public is well informed about their rights.
2.	Is the participation of all stakeholders ensured?			1	Not always.
3.	Is public participation ensured at an early stage?			0.33	0.3 Average According to the legislation, this is not included in the obligations of the Ministry and in the obligations of the subjects carrying out any activity. This can only happen at the request of economic entities. There was a case when one of the investors who was going to build a hydroelectric power station on the White Aragvi (2019) met with the local population before the start of the EIA procedure, after the meeting and listening to the arguments of the population, decided not to implement the project.

	1) On policy: problem and causes analysis, the decision to formulate policy;			1		Partially.
	2) Regarding the types of activities;				0	No.
	3) Is the annual public consultation plan published?				0	There is no such plan, the meeting with the public takes place mainly only at the request of public organizations.
4.	Is public participation in monitoring and evaluation of the implementation of policies, plans and programs ensured?				0.83	The procedure is not fixed by law, but many public organizations independently work in the field of monitoring adopted plans and programs, the ministry itself conducts monitoring using only the inspection mechanism, it should also be noted that a system of self-monitoring is gradually being introduced.
	1) Are there approved procedures?				0	Not formalized, there is no consultation procedure.
	2) Is there a well-established practice / examples?			1		The rule/procedure only exists during the EIA and SEA procedure.
	3) Is this process transparent?	3				Yes, during EIA and SEA.
	4) Does the public participate in the preparation of reports on the implementation of environmental policy?			1		Depends on whether or not required by legislation (the report) This was not officially required until last year, but from 2022, when preparing reports, strategies, plans, it is desirable in accordance with the resolution of the cabinets of the minister.
	5) Is there a permanent dialogue with public/ stakeholders on the implementation / effectiveness of environmental policy?				0	No, public participation was ensured only in the preparation of some documents. The procedure is not formalized.
	6) Does the public participate in the discussion of the report of the Ministry of Environment on the implementation of the annual action plan?				0	Formally.

5.	Is there a shadow report (s) being published by SCI/ SCA?			1	There is no systematic preparation of such a report that would cover all areas of activity in the field of the environment, although it should be noted that individual organizations on various topics have prepared and are preparing such thematic reports, but this is not the case to prepare a general system analysis.
6.	Is the Ministry of Environment actively cooperating with CSOs and its platforms/ coalitions (National platform of the EaP CSF, AA CS Platform, Public Council, other);			1	Partially, the process is not formalized.
7.	How significant is the role of CSOs and its coalitions in the decision-making on environmental and climate reforms implementation?			1	As experience has shown in decision-making, public participation leads to more effective reforms, but unfortunately in Georgia this is not a formalized process and requires additional legislative regulations. The Georgian National Civil Society Platform, in particular the organizations of the third working group, are actively involved in the consideration of legislative acts, and also raise many questions in decision-making.
8.	Behavior			1	Despite the fact that in many aspects public participation is enshrined in law, there is no real participation of the public in the decision-making process. Practically all existing procedures need to be improved. It should also be taken into account that not all areas of economic activity that affect the environment are subject to EIA and SEA procedures; for this reason, many decisions made are without approval and preliminary discussions with the public (this year the decision was made by the Ministry to create a hunting territory of the Oni municipality for almost 1000 hectares. This is not only forest land and private land, but it is in the main territory of the future National Park - protected areas (what caused serious unrest both among the local population and among environmental organizations). It should also be noted that the public does not always have the necessary skills to work when making a decision, this is also due to incomplete awareness or incompetence of civil society.
Total score					7.2 points out of 24, 30%

IV. Accountability						
№	Indicator (Question)	Yes			No	Verification/ comments
		Exc	Adeq	Poor		
		(3)	(2)	(1)	(0)	
1.	Does the MoE explain what and why it is doing?			1		The Ministry of Environmental Protection and Agriculture prepares an annual report of its activities, which is prepared in the form of a presentation, unfortunately, as a rule, in these reports there is no explanation of the actions taken.
2.	Is the structure and functionality of the MoE clear today, in particular, regarding strategic planning?			1		Since a government reform was carried out in Georgia in 2017, as a result, two ministries, the Ministry of Agriculture and Environmental Protection, were merged, during this reform, the management of subsoil and minerals was completely transferred to the powers of the Ministry of Economy and Sustainable Development. With regard to the structure and in particular strategic planning, this issue is under the responsibility of the Ministry of Environment and Agriculture, where internal reorganization is ongoing, in particular, the department for Environmental Permits was transferred to the Environmental Agency (01.05.2022) which seriously harmed the EIA procedure. The structure of the Ministry is not optimized and there is no clear distribution of powers.
3.	Does the reporting of the MoE comply with the principle of accountability? (evaluation and feed-back)			1		Formally secured, there is no opportunity to comment on the actions of the ministry.
4.	Types of reporting and systematization			1.75		Mostly organized.
	1) Does the MoE issue regular report on Environmental policy assessment, including achieving Environmental policy targets?		2			Prepared by the Ministry in accordance with the Law on Environmental Protection; once every four years.

	2) Does the MoE issue regular report on environmental budget revenues and expenditures?		2		According to Georgian legislation, information is provided upon request, information is not publicly available.
	3) Does the MoE issue regular report on State of Environment?		2		Once every four years according to the Law on Environmental Protection https://matsne.gov.ge/document/view/33340?publication=30
	4) Is the reporting system clear and understandable for public?			1	The reporting system is not clear, it is not regulated, (there is no clear legal framework). Annual reporting of departments is mandatory.
5.	Are the reports accessible for public?		2		Reports for public are available upon request.
6.	Is there return connection/ public discussion of the report's findings?			0	Not practiced.
7.	Is there procedure for submitting comments/ suggestions to reports and mechanism of its consideration and communication concerning taking into account/ not taking into account?		2		The procedure for submitting comments and suggestions to reports and the mechanism for their consideration is enshrined in law. Upon receipt of proposals, administrative consideration of this comment / proposal is carried out and a response is provided to the applicant within 10 calendar days. in accordance with Law of Georgia, General Administrative Code of Georgia, article 40 https://matsne.gov.ge/en/document/view/16270?publication=33
8.	Does Ministry of Finance include into regular reports full information on environmental revenues, its distributions and expenditures?		2		Information is provided upon request, the report of the Ministry is provided to the Parliament and published These documents contain complete information, including on costs in the field of the environment.
9.	Behaviour		2		The reporting system in the country requires clear regulation at the legislative level, as there is always a question about the possibility of the public to take part in the discussion of annual reports. Today, these procedural issues are being discussed in Parliament.
Total score					12.8 points out of 27, 47.4%

V. Effectiveness						
№	Indicator (Question)	Yes			No	Verification/ comments
		Exc	Adeq	Poor		
		(3)	(2)	(1)		
A.	Policy					
1.	Is environmental and climate policy effective?			1.15		It cannot be said that it is very effective, but judging by the work of the ministry, it should be noted that all departments strive to make it more efficient, in making decisions, many structures of the ministry try to attract certain funds (financial) for the development of regulations and guidance documents
	1) Does environmental policy contain measurable objectives and time-table?		2			Yes, contains NDC and CAP https://matsne.gov.ge/ka/document/view/5147380?publication=0 contain clear goals and timelines.
	a) framework strategy/ NEAP		2			NEAP 4 is being prepared in the country, public discussions are underway. At the suggestion of the non-governmental sector and experts, the discussion of this document was held chapter by chapter and amendments were made. 4 NEAP is approved by the government.
	b) environmental sectors strategies/ NEAPs		2			New NEAP reviews nature conservation strategy by sectors.
	2) Is policy formulation preceded by an evaluation of the effectiveness of previous policies?		2			The discussion paper provides information on the effectiveness of the previous NEAP.
	3) Whether policy adopted contains concrete quantified targets?			1		Yes, it does. It should be noted that the document has not yet been adopted and is under consideration. It should be noted that the chapters of the project document contain clear indicators. This document is better structured, although for us it remains problematic to implement the previous one, since it was not evaluated, many indicators repeat. Compared to the previous one, the indicators are more clearly defined here. The previous NEAP did not have such clearly defined indicators.

4) If yes, is regular report (s) containing an analysis of achieving these targets?			1	The document is being prepared for approval by the Cabinet of Ministers and contains an analysis of the achievement of the goals.
5) Is there enough time to find out all the possible consequences / results that are planned and taking into account suggestions and comments from stakeholders?			1	After the adoption of the document, certain adjustments in the main document are possible, with proper monitoring. It should be taken into account that during the public hearings that are taking place now, specific comments and suggestions are made. It should be noted that the past discussions made certain adjustments to the document, and it should also be noted that the discussion time was not enough. The document was prepared and only after that it was provided for public discussion.
6) Are the environmental and climate impacts of policy implementation being assessed at the planning stage?		2.5		Yes, but unfortunately not always, since information was not always available due to lack of such information. For example, when planning a climate action plan, compiling climate scenarios, there was no complete information on greenhouse gas emissions from waste and experts were guided only by expert assessments.
a) for environmental/ climate policy documents		2		Yes, were evaluated at the adoption of the NDC and NCAP, the scenario was considered and the consequences of the implementation of the scenarios were assessed. But, unfortunately, this document did not pass the SEA. Opinions differed, some public organizations believe that it would be good if the document passed a strategic assessment.
b) for other policies document.	3			According to Georgian legislation, all strategic documents are subject to SEA.
7) Is the economic impact of policy / instrument implementation assessed?			1	Yes, assessed by RIA (Regulatory Impact Assessment) In Georgia, the practice of evaluating documents adopted by the government for economic purposes has become established.
8) Is the implementation of the state environmental policy monitored on the ground?			0	Unfortunately, there is no clear control mechanism.

	9) Does the environmental data collection and processing system provide information for decision making?			1	Partially, since there is no complete information, when making a decision, the ministry relies only on expert assessments.
	10) Is the implementation of state environmental policy ensured at the regional and local levels?			0	No, not provided.
B.	Financing				
2.	Is financial management of state environmental and climate funds efficient?			0.43	There are no government funds for the protection of the environment.
	1) Is the amount of fees for nature use, pollution and fines sufficient to influence the environmental behavior of the polluter / user?			0	No, they are not. The polluter and user pays principle was abolished during the 2006-2012 reforms and is now being reinstated. But this work is carried out very slowly and the enforcement mechanism in the legislation is not very effective. A new piece of legislation is currently being developed on the adoption of an integrated permit and on the responsibility of enterprises for pollution, which should ensure the adoption of new effective measures.
	2) Is most of the revenue from environmental payments being used for environmental purposes?			1	Only in 2021, a new law on Environmental liability Law of Georgia was adopted, which declares this principle.
	3) Is overall environmental budget sufficient to cover policy implementation?			0	No, not enough.
	4) Are environmental budgets (State, locals) being used exclusively for environmental purposes?			1	According to existing practice, this is still being carried out in the field of waste management at the local level.
	5) Is targeted spending being controlled?			1	Yes, but inefficient.
	6) Is there special environment and climate fund existed as legal entity?			0	Does not exist.

	7) Are there cases of successful foreign investments into 'greening infrastructure' projects detected?				0	In Georgia, this is just being introduced, the results will be in a few years in the future.
3.	Whether AA environmental reforms of environmental policy and legislation progressing? (thematic strategy + framework law/ implementing directive law + underlaw regulation are adopted for each thematic direction of work)			1.5		Fragmentary, not very effective.
	1) Climate change			1		Very slow and inefficient, despite the fact that there is NDC and CAP, the mechanism for executing these documents is unclear.
	2) Environmental governance and horizontals, including EIA, SEA, information and PP?			1		Very slow and inefficient. Implementation of the adopted Law of Georgia Environmental Assessment Code in 2018 is not effectively carried out; many have complaints, besides, this year there was a change in the legislation and the department was transferred from the central structure to the authority of the Environmental Protection Agency (the mentioned changes have taken place since May 1, 2022).
	3) Air quality			1		Very slow and inefficient. There are adopted action plans, for example on the protection of atmospheric air of the city Rustavi.
	4) Water quality and IWRM			1		Yes, they are advancing with some delay in terms determined by the agreement with the European Union.
	5) Waste and resources management			1		Yes, they are moving forward. But new laws and regulations on toxic waste have not yet been adopted.
	6) Nature protection, including forests	3				New Forest Code adopted in 2020. In addition, there is legislation on protected areas in the country; today there are up to 29 protected areas in the country.
	7) Industrial pollution and hazards	3				Environmental liability Law of Georgia adopted in 2021 https://matsne.gov.ge/document/view/5109151?publication=0
	8) Chemicals		2			System under development.

	9) GMOs	3			Regulated by Law of Georgia on Living Genetically Modified Organisms https://matsne.gov.ge/en/document/view/2516880?publication=1
	10) Noise pollution		2		Regulated by law on the Protection of Atmospheric Air 22/06/1999. Technical Regulation - “Resolution on Acoustic Noise Norms in Houses and Areas of Residential Homes and Public / State Institutions №398 15/08/2017 of August 14, 2017 On Approval of the Rules for Responding to Administrative Violations Related to the Permissible Acoustic Noise Norms and the Use of Pyrotechnic Products.
	11) Urban environment				o No effective environmental documents.
	12) Environmental fees				o Not regulated by law.
4.	Whether AA (framework) implementing documents (action plan, mid-term strategy, road-map) were adopted?			1	Documents on the implementation of AA (framework) are adopted both at the central level and sectoral These are various strategies and action plans, for example.
C.	Institutions				
5.	Are environmental institutions effective?			1.2	
	1) Does country have a singular dedicated MoE in the Government?				o In 2017, after the government reform, in connection with the optimization of the management system, two ministries were merged - the Ministry of Agriculture and the Ministry of Environmental Protection and Natural Resources, and the Ministry of Environmental Protection and Agriculture was established.
	2) Is overall staff enough in quantity to cover functions according regulation?				o It should be noted that there is clearly not enough staff at the ministry level.
	3) What share of staff is dealing with strategic planning and reporting?			1	Quite a small number of staff, up to 5 people in a united ministry.
	4) What share of staff is dealing information management and communication?			1	According to the latest information, up to 3 people.
	5) What share of staff is dealing with public involvement and feed-back?		2		Up to 3 people, in the PR department.

6) Are there separation of policy planning, policy implementation and control/ enforcement functions among state environmental institutions?		2			Yes, it is regulated by law. Basically, this issue is regulated by the provisions of departments or divisions.
7) Are there separation of administrative, service and economic functions within institutions?		2			Yes, but in the united ministry these issues are combined with agriculture and there is no way to find a clear line between functions.
8) Is there dedicated enforcement and control governmental body (inspectorate)?		2			Yes, this function within the ministry is performed by the State Sub-Agency Department of Environmental Supervision https://des.gov.ge/Ge/
9) Is there body with clear responsibility for the environmental monitoring?		2			Yes. This agency is The National Environment Agency, legal entity.
10) Is environmental monitoring system functioning properly?		2			Environmental monitoring system needs improvement; at present, the number of automated atmospheric air monitoring stations is increasing, the number of river flow monitoring stations is growing, etc.
11) Does it provide real-time data for the accounting?			1		Requires clarification.
12) Is the function of environmental data analysis for decision-making being permanently performed for all types of environmental surveillance?			1		The system requires improvement, both in legal aspects and in the direction of technical support.
13) Is there clear plan of administrative reform in environmental sector prepared?				0	No, there is no such plan.
14) Is it prescribed in the AA/ Framework strategy/ other documents?			1		Yes, the agreement requires clearly defining and fixing the legislatively competent body.
15) Are there active involvement by Moe and LA of different stakeholders into the decision-making process?			1		Mostly yes, but very often not effective.
a) State level			1		Rarely, there is public consultation when adopting strategies and various concepts. This process is not regulated by regulatory documents.
b) Local level			1		At the local level, the practice of consultation is extremely rare.

6.	Are there visible progress in performance in such areas as:			1.08		
	1) Climate change		2			Yes, the state has adopted a number of key documents on climate change (NDC and NCAP). Performance evaluation has not yet been done, work is underway on this document.
	2) Environmental governance and horizontals			1		Not implemented, a vertical management system has been formed in the ministry; locally, the ministry does not have territorial management structures in the field of environmental protection.
	a) Whether the application of SEA prevents the adoption of environmentally hazardous policies?		2			Civil society is quite consolidated in the issues that are dangerous for the environment. The public is actively involved in certain protests in decision-making, this is clearly seen especially in the construction of hydroelectric power plants; Construction of the Namokhvan power plant (the public demanded a review of the decision, based on the fact that the EIA was carried out poorly and the participation of the population in the decision-making process was not ensured); the construction of the Kheledula hydroelectric power station was cancelled after the protest of the population, a decision was not made under pressure from the public on the construction of a hydroelectric power station on the Black Aragvi River, etc.
	b) Whether the application of EIA prevents the implementation of environmentally hazardous projects?				0	No, it does not interfere, although conflicts between the population and the project executor are not rare. And this mainly happens at those facilities that have carried out the EIA procedure with violations or according to the old legislation.
	3) Air quality			1		Air quality monitoring is carried out only in Tbilisi. Observation points in other cities are being technically equipped.
	4) Water quality and IWRM				0	The Law on Water is only now being considered in the Parliament and, accordingly, it has not yet been implemented, although some basin management plans have been developed, but they have not been approved due to the fact that the law has not yet been adopted.

	a) Whether the Basin councils are established?			0	No, due to the fact that the law was not passed.
	b) Whether they could make their own decision not governed from the center?			0	No, due to the fact that the law was not passed.
	5) Waste and resources management			1	Significant improvements in the sphere of waste management after passing of laws in regards to strategy and Plans of action for waste disposal.
	6) Nature protection			1	The proportion of protected land has increased
	7) Industrial pollution and hazards			1	New laws have been passed along with improved project monitoring.
	8) Chemicals			0	Regrettably there are still no changes in regards to chemical product control, the laws are still not up to the standard of the EC directive.
	9) GMOs	3			Is being carried out in accordance with the law.
	10) Noise pollution	3			Is being carried out in accordance with the law.
	11) Urban environment			0	An effective law is not in place.
	12) Environmental fees			0	Not produced.
7.	Behaviour			1	The effectiveness of environmental policies depends on the strict adherence to the law and the institutional operatus of the ministry. The lack of implementational mechanisms for the laws that have been passed should be noted as a serious problem for an effective environmental policy. A good example would be the quality of reports by the EIA, but the reason for that would be the lack of normative acts for the preparedness of EIA and SEA.
Total score					7.4 points out of 21, 35.2%

VI. Coherence						
№	Indicator (Question)	Yes			No	Verification/ comments
		Exc	Adeq	Poor		
		(3)	(2)	(1)		
A.	Environmental and climate policy integration					
1.	Transparency			1		
	1) could you obtain the information concerning environmental and climate aspects of the sectoral policy from sectoral ministries (energy, transport, agriculture, industry, tourism) without taking the rout back to the MoE?		2			Certain works in the field of environmental protection are carried out by all government agencies, respectively, obtaining information is possible from almost all departments upon request, but unfortunately the relevant information is not available on the websites of government departments.
	2) does the Parliamentarian web-site and the P. environmental policy committee provides public access to its decisions/ draft laws?		2			Yes, provides. The website itself is very complex and if there is no knowledge of where to find information on the website, it is impossible to get it.
	3) does the President's body provides public access to draft decisions on environmental matters?		2			Yes, provides if it is within her(his) competence According to the constitution currently in force in Georgia, the powers of the president are limited and the sphere of the environment is not included in direct obligations.
	4) whether regional environmental authorities follow legal requirements on public access to environmental information?			1		It does not always provide, as there are no territorial environmental authorities. There are only territorial inspections for the regions of the country There is practically no information on environmental protection on the existing websites of local authorities.
	5) do they have web-sites? (percentage)				0	Websites at the local level, the territorial inspection bodies do not have.
	6) is it regularly updated with environmental information? (is it regulated by the national law?)				0	Information is not updated regularly.

	7) if not, whether environmental information from regions accessible from the MoE web-site?				0	No.
	8) if yes, is it of sufficient quality?				-	
2.	Participation			1.5		
	1) Does MoE consult with CSOs in preparation of an official position for MEAs MoPs, CoPs, other international foras;			1		Not always.
	2) is PP on environment and climate matters ensured by other sectors Ministries in preparation of their strategic policy documents?	3				Yes.
	3) are environmental draft laws on AA implementation easily gather quorum for voting in the Parliament?	3				Yes.
	4) whether CSOs involved into the preparation of environmentally important draft decrees of the President?			1		Partially, but some draft-laws were not discussed.
	5) whether regional environmental departments ensure PP in DM?				0	No, there are none. Regional inspections offer to make a request for information to the ministry.
	6) whether CSOs play significant role in the DM at the local level?			1		Partially, dependent on CSO activity.
3.	Accountability				0.3	Provided, but sometimes is of formal character.
	1) Evaluation				0.2	Via social media, and very vaguely.
	a) does MoE report to CS on participation in int. negotiations after return?			1		The new parliament elected in 2020 has not yet made relevant assessments. But it should be noted that the parliamentary committee holds sectoral hearings on environmental issues. The Committee itself (Committee for the Protection of the Environment and Natural Resources) in the annual report only deals with those issues that are carried out by the committee itself, but does not provide a full assessment of problems in the field of environmental protection.

	b) does profiled Parliamentarian committee report publicly and regularly on its activities?	3			Yes. Example of a report on the public audience on the management of medical waste https://www.parlament.md/LinkClick.aspx?fileticket=1YSwI6wCHhU%3d&tabid=84&mid=486&language=ro-RO
	c) does President's office do it?			0	No.
	d) whether sectoral ministries do it, e.g. for the climate or other?			0	No.
	e) what about regional authorities?			0	Periodically, once a year, but this is a formal procedure without discussion.
	2) Feed-back			0	
	a) whether sectoral ministries explain to public their decisions, which have a significant impact on environment and/ or climate?			0.4	No.
	b) do they provide a feed-back to comments?			0	Partially, only in the format of sectoral dialogues within the National Platforms of Georgia of the Eastern Civil Society Forum partnerships, but this is definitely not enough, since many non-governmental organizations are not members of the platform and there is a serious lack of communication with the regions.
	c) whether profiled committee of the Parliament does?		1		Partially, only in the format Georgian National Platforms of the Eastern Partnership Civil Society Forum.
	d) is such practice existed for the PO?		1		No.
	e) are regional and/ or local departments provide a feed-backs?			0	No.
4.	Effectiveness			0	
	1) Policy			0.4	
	a) Is there progress observed in the environmental policy integration into policies of other sectors?			0.8	Done only formally.
	b) Is the EU Green Deal reflected in official decisions and/ or action plans?		1		Just starting to discuss.

	c) Is there an improvement in environment and climate integration into regional development policy?			1		Done, but not entirely satisfactory. The mechanisms for fulfilling the obligations taken have not been finalized.
	d) Whether the environmental and climate plans/ strategy started to be prepared at the local level?			1		There are none, if you do not take into account the initiative of measures that are adopted only by some cities.
	e) Overall, does environmental sector play a significant role in DM on economic matters?				0	Rarely, sometimes plays.
	2) Institutions			1		
	a) Does MoE have vertical Departments in regions?				0	No.
	b) If not, how the coordination on implementing the State environmental policy being ensured?				0	Mostly centralized. With the help of local governments and local authorities, there are also representations of the supervision department (it is with the inspection), but they are not included in the management.
5.	International agreements and leadership				0	
	1) Is participation in MEAs effective?				0.83	No.
	2) Are implementation reports timely and open for access?				0	Partially, formally.
	3) Whether global obligations on environment and climate being implemented?			1		Formally. Declared in legislation but no implementation mechanism exists.
	4) Were SDG adopted by the country?			1		It is not formally reflected in the legislation; the implementation mechanism has not been developed, but it must be taken into account that a structure has been created under the office of the Prime Minister that monitors the commitments made to the SDG, it should also be taken into account that the Ministry of Economy and Sustainable Development is the responsible body for the implementation of the millennium goals in the economy, but today the Ministry has only one staff unit working in this direction.

	5) Whether EaP new policy and environmental targets are supported actively?			1		Supported formally, mechanism of action not specified.
	6) Does country demonstrate green leadership at the international foras/ negotiations?			1		Sometimes.
6.	Reflecting the opinion of different stakeholders			1		Declaratively and formally, this is reflected in the document, but the mechanism for connecting groups is formal, there are no targeted programs.
	1) Whether the environmental policies developed and adopted take into account the gender perspective?			1		Partially, declaratively reflected, but the participation mechanism is not effective.
	2) Whether the environmental policies developed and adopted take into account the special role of the youth?			1		Partially. It is declaratively reflected, but in action the participation of young people is minimal.
	3) Whether the environmental policies developed and adopted consider/ take into account the position of other major social groups (e.g. science, farmers, trade unions, LA, business and industry, indigenous people)?			1		Formally. Since, if they are taken into account in any sectoral documents, these being strategies, assessments or an action plan, they either are not reflected in the main documents, repeat and are of a formal nature, or diverge from the undertaken obligations. An example is the NECP energy strategy currently being developed; already during the discussion it was determined that in many respects it diverges from NDC and CAP.
	4) Is there a structured process in regards of their involvement to development and implementation of the environmental and climate policies?			1		Partly. The structure of information and education created in the Ministry, in addition to working with the public, works in schools, kindergartens, and with students, but this work, although structured, is still not sufficient and requires a systematic approach.
7.	Behaviour			1		The policies that are implemented in the sphere of environmentalism aren't always directed towards achieving results in environmental protection.
Total score						6.0 points out of 21, 28.6%

Annex II. Good environmental governance in Moldova

II. Good environmental governance (GEG) concept application						
№	Indicator (Question)	Yes			No	Verification/ comments
		Exc	Adeq	Poor		
		(3)	(2)	(1)	(0)	
1.	Whether GEG as a concept and/ or GEG principles reflected in the adopted strategic policy documents?			1		GEG principles are found as references in some policies and strategies. https://www.legis.md/cautare/getResults?doc_id=114539&lang=ro#
2.	Is GEG as an important direction of reforms being a subject of the dialogue (s) in the society?		2			GEG Topic was chosen for discussion and for implementing several projects by NGOs in Moldova.
3.	Are there projects/ publications/ soft official documents reflecting/ implementing GEG being existed?		2			Project Monitorizare pentru o bună guvernare de mediu https://eap-csf.eu/wp-content/uploads/GEG_Booklet_Print3_Eng.pdf EaP project “Advancing Belarus, Moldova and Ukraine for the European Environmental Governance Reforms”. Current project “Advocating for good environmental governance in the EaP region”.
Total score						5 points out of 9, 55.6%

II. Transparency (Openness)						
№	Indicator (Question)	Yes			No	Verification/ comments
		Exc	Adeq	Poor		
		(3)	(2)	(1)	(0)	
1.	Does MoE provide access to the information at its disposal?			1.85		MoE has its own web-site. It displays the most recent news and information of public interest. By now there is no English version of the website, only Romanian. It also has a Facebook page , where all the news and events are published.
	1) information on the organizational structure, mission, functions, powers, main tasks, activities and financial resources (structure and amount of budget funds, the procedure and mechanism of their spending, etc.);		2			The MoE website includes some dedicated categories as: Contacts , Structure , Budget , Procurements . There is no description of the Ministry mission, functions, powers or main tasks directly on the site. Those descriptions are presented in the Legislation/Normative acts part and are included in the Government Decision No 145 from 25.08.2021. Information on the approved budget is found on the Decision transparency/Budget . It has also a dedicated part for the procurements made and on the external audits .
	2) regulations, acts of individual action (except for internal ones) adopted by MoE, draft decisions to be discussed, information on the legal basis of activity;	3				All draft documents are presented in the Decision Transparency part of the MoE website. It can also be found on a dedicated site for public participation to the decision-making. MoE website, beside the drafts of the documents, has a section for the announcements for the initiation of the decision making.
	3) list and conditions of obtaining services provided by these bodies, forms and samples of documents, rules of their filling;		2			Those are listed in the compartment Ministry activity and includes several document such as Environmental Impact assessment, payment for pollution, authorisations for the waste management. But the way in which the information presented and structured is sometimes confusing and there is no intuitive way to reach for it.

4) the procedure for compiling, submitting a request for information, appealing against decisions of information manager(s) ¹⁴ , actions or inaction;		2		<p>There is an online form to be filled in for reclamations, requests and suggestions to the Ministry. It is accompanied by a detailed instruction of how to do it and what kind of requests will be addressed if filled in a right manner.</p> <p>According to the instructions provided, „Addresses that will not contain the information, obligatorily requested in the address form and will not correspond to the requirements for the electronic document, including the application of the digital signature (art. 5 (2) of the Law on Petitions no. 190 / 19.07.94), will not be examined.”</p> <p>There is no instruction or explanation if the request can be placed offline, in a written form , in person or via postal services.</p>
5) information on the information accounting system, types of information stored by the manager;		2		<p>There is no one unique register of environmental information. MoE collects and is the owner of the information related to: waste management, air¹⁵¹⁶, water, biodiversity, soil.</p>
6) a list of data sets that are published in the form of open data, including the Register of data sets in possession by the information manager;		1		<p>There is no direct link to the Registers of data (or State cadastres). Even though there is an image on the home page of the website that says Digital maps, it is not working.</p> <p>Therefore there is the access to the Green growth indicators webpage. Some maps are available through the websites of the subordinated institutions: Environmental Agency¹⁷, Agency „Apele Moldovei” (“Moldova Waters”)¹⁸,¹⁹</p> <p>The State Cadastre of Water²⁰ is under development, its regulation has been approved by the government.</p> <p>Environmental data can also be accessed through the National Statistic Database.</p>

¹⁴ Information manager is an entity that have responsibilities (determined by law) for the disclosure and provision of public information in its possession.

¹⁵ <https://am.gov.md/ro/node/416>

¹⁶ <https://am.gov.md/ro/node/421>

¹⁷ <https://am.gov.md/ro/content/starea-mediului>

¹⁸ <http://www.apemoldovei.gov.md/pageview.php?l=ro&idc=134&>

¹⁹ <http://www.apemoldovei.gov.md/pageview.php?l=ro&idc=135&>

²⁰ <https://csa.gov.md/en/default/map#lat=205160.482148&lon=263808.800907&zoom=0>

7) information on the mechanisms or procedures by which the public may represent its interests or otherwise ways to influence the implementation of the powers of the information manager;			1	<p>reLAWed web platform and web application is an instrument that aims to provide the possibility for people to get involved in the process of improving the legal framework, to take action, to identify and notify / communicate the deficient or interpretable normative acts and which in the application have generated or can generate acts of corruption, abuse or other illegalities.</p> <p>Respectively, through the application “reLAWed” individuals and legal entities, regardless of the field of activity, have the opportunity to report, including anonymously, the normative act, unclear, interpretable and / or conflicting provisions, normative deficiencies and legal vulnerabilities. The link to this app is placed on the MoE website, but there are no clear instructions, no information about this instrument so if a person knows this instrument, s/he can use it, otherwise you just don’t know how to proceed.</p>
8) plans of conduction and agenda of its open meetings;			0	<p>No information on the website on the date or agenda of public consultations. It is sent by email to the mailing list of the interested parties.</p>
9) location of places where the necessary forms and blanks of the institution are provided to applicants;	3			<p>MoE website, section Petitions specifies that if a person does not have an email address or a digital signature, s/he can send a request or a petition by mail post, and it does not have a specific form or blank.</p>
10) general rules of the institution, rules of internal labor regulations;			1	<p>There is only a general guideline for the internal management that has been developed by the Ministry of Finances.</p> <p>According to the Declaration of the Minister of 28.02.2022, the Ministry is partially conformed to the general management standards.</p> <p>There are several orders of the Ministry published on its website that include its internal regulations.</p>
11) reports, including on the satisfaction of requests for information;			1	<p>There is no report on the satisfaction of request to the MoE and there is no annual report of the MoE.</p> <p>Environmental Agency and Environmental Inspectorate are issuing annual reports on their activities, that also informs about the number of requests received, and answers sent, and also the number of requests that were denied. For ex. EA 2021 annual report, page 96.</p>

12) administrative information, namely:	3			
a) their location, postal address, communication numbers, official website and e-mail addresses;	3			Information available on the MoE website , it includes location, postal address, phone numbers of the whole MoE, and its email.
b) last name, first name and patronymic, official numbers of communication means, e-mail addresses of the head of the body and his deputies, as well as heads of structural and regional subdivisions, the main functions of structural and regional subdivisions, except in cases when this information belongs to limited access list;	3			MoE- Information available on the MoE website . Environmental Agency – information available on its website . Inspectorate for Environmental protection – information available on its website .
c) work schedule and public's reception schedule;	3			Public audience schedule available on the MoE website .
d) vacancies, the procedure and conditions of the competition to fill vacancies.	3			Information on vacancies, conditions to apply, candidates invited for interview and written test and announcement on the winners – on the MoE website dedicated section
13) Directory of enterprises, institutions and organizations of the information manager and its affiliates, including their identification codes, official websites, e-mail addresses, telephone numbers and addresses;	3			Information on the subordinated organizations is also presented on the MoE dedicated section of the website . Besides the list of the institutions, the contact details (address, email, phone, website) is presented.
14) Standards that are approved and subject to publication in accordance with the law by the information manager;		2		In line with the national law on standardization , the national standardization body which is the National Institute of Standardization (NIS), has the right to develop and approve national standards. One of the instruments for the development of new standards are the Technical Committees . Among the list provided on the website of the NIS, there is one Committee for the Water Quality that could be assigned to the environmental field.

					Information on the environmental standards is not present on the MoE website, it can be only found among the texts of the national laws, regulations and decisions, that refers for ex. To specific methods for determination of some chemicals in water. MoE is only consulted for its opinion when a new standard is approved or an existing one is modified.
15) Lists of national standards, which in case of voluntary application are proof of compliance of products with the requirements of technical regulations;				0	A list of national standards is not available nor published on MoE website or anywhere else.
16) Administrative data collected (processed) and subject to disclosure in accordance with the requirements of the law by the information manager;	3				Collected data on different environmental components, is managed by the Environmental Agency, subordinated to the MoE. Data collected and processed is published on its website, for ex. Waste management . As a result of all collected data, reports on the Environmental state are published. Also, information collected annually/periodically is subject to statistical processing and are published by the National Bureau of Statistics in the Environment section of its database.
17) Lists of regulatory acts indicating the date of entry into force, the period of basic, repeated and periodic monitoring of their effectiveness and information about the place of their publication;		2			The list of national and international legislation , is presented on the MoE website. It includes the date of approval and a link to the document. It does not provide information on the monitoring on their effectiveness.
18) Register of environmental auditors and legal entities entitled to conduct environmental audits;				0	There is no open access register for environmental auditors.
19) State Register of Pesticides and Agrochemicals Permitted for Use;		2			Available, on the State Service “State Center for Attestation and Approval of Phytosanitary Products and Fertilizers” website . No interlink with the MoA and MoE on the Register.
20) Data from regional registers of waste generation, treatment and disposal facilities;			1		Data are presented through the www.siamd.gov.md website, but it is available for the reporting only.

21) State Cadastre of Fauna;	3				The Regulation on the State Cadastre of Fauna is approved. The State Cadastre of Fauna is managed and updated by the Environmental Agency. There are several lists on different criteria.
22) State Cadastre of Flora;		2			The State Cadastre of Flora is managed and updated by the Environmental Agency, but is not that easy to find the information on the Environmental Agency website. Also there are no details about the date of last modification of the cadastre, or on the last inventory, how often it is monitoring and updated.
23) Red Book;	3				The Red Book of the Republic of Moldova is issued periodically, being updated last time in 2015 (3rd edition).
24) State cadastre of natural territories of resorts;	3				The state cadastre of natural protected areas is developed by the Institute of Ecology and Geography and was submitted to the Environmental Agency and Ministry of Environment. A map of the protected areas is also available.
25) State cadastre of territories and objects of the Nature Reserve Fund;	3				The state cadastre of the Nature Reserve Fund is also included in the State Cadastre of natural protected areas.
26) Lists of licensees;	3				A list of licenses (permits) is available on the website of the Environmental Agency ^{21, 22} .
27) List of sites that are the biggest polluters of the environment;				0	No list available.
28) Information about protected areas;	3				Is the same as for State cadastre of natural protected areas .
29) National ecological automated information-analytical system of providing access to ecological information;				0	There is no integrated automated information system for the ecological data.
30) Data on state tests and registration of pesticides and agrochemicals;		2			The State Service “State Centre for Attestation and Approval of Phytosanitary Products and Fertilizers” under the Ministry of Agriculture and Food Industry is responsible for the approval and use in agriculture of plant protection products and fertilizers. Information on the approval of fertilizers and phytosanitary products is available in the State Register . There is no information about the pesticides or agrochemicals on the MoE website nor on the EA website.

²¹ <https://am.gov.md/ro/content/acte-permissive>

²² <https://am.gov.md/ro/node/252>

31) Data from the state environmental monitoring system;			1	Monitoring of the environment is done by the Environmental Agency, created in 2018. It publishes annually its Monitoring program . There is no direct access to some general database on the state of the environment, but it can be requested from the Environmental Agency. The rules that applies to the request are described on its website . Requested information should be delivered in 15 working day from the date of a written request made.
32) Data from the National inventory of anthropogenic emissions and sinks of greenhouse gases;	3			Inventories are developed annually by an established working group and are sent to the international organization responsible for its collection. Reports on the inventories are available on the Environmental Agency web-site .
33) Information on the state of the environment (water, land, air, forests, biodiversity);			1	Entities in the environmental sector manage and maintain a multitude of registers, cadastres, inventories, monitoring systems, information systems, categorized by certain environmental factors, domains and processes managed by entities. At the same time, the uniform coordination and interoperability of these systems is not ensured, resulting in a lack of complementarity of data. In some cases, the effort is doubled by producing data for the same environmental factor. At other times, efforts are fragmented, with different entities producing and storing data separately for the same environmental factor. Correspondingly, maintenance costs are high, but the quality and accuracy of the data is poor. Last but not least, maintaining and completing the registers within the institutions that have the obligation to ensure the proper management of natural resources, can lead to the introduction and intentional use of erroneous data, which creates risks of corruption.
34) List of multilateral international agreements on environmental protection, to which the country is a party, and the state of their implementation;	3			A list of the bilateral agreements and conventions is available on the MoE website, but it does not describe the stage of their implementation.

	35) List of Directives and Regulations to be Implemented according to the EU Association Agreement, as well as chapters related to the competence of the MoE;			1	No list published, but it is available through the monitoring reports for the national environmental strategy and also indirectly through the report on the AA implementation .
	36) List of confidential information restricted for public use (limited to official use only);			1	No description as such on the MoE website. But according to the Law on access to information , description of confidential information is described in art. 7.
	37) Environmental Impact Assessment (EIA) Registry	3			Such a registry exists, published on the EA website. EIA is in charge of EIA and ecological expertise.
	38) Pollutant Release and Transfer Register PRTR			1	The Pollutant release and transfer register is created, but is not fully functional.
	39) Does the ministry systematically respond to requests for information?		2		It responds according to the Regulation on the environmental information access, but sometimes the answer is delayed.
2.	Is the legislation sufficient?	3			The legislation is sufficient.
3.	Is the information on the MoE website constantly updated?		2		Yes, the information on news is constantly updated. Unfortunately the information on the national legislation is kept, but there are some outdated links to the legislative database that has been changed (previous www.lex.justice.md has moved to www.legis.md and it is impossible to see updates on the legislative acts since 2020.
4.	Is the information on the FB page permanently updated?	3			Yes, FB page of the MoE is constantly updated.
5.	Does the MoE actively communicate its activities and decisions to general public?	3			MoE presents its activities on its website (News) and FB page. It also send information to the interested in the decision making process NGOs. It also sends information to the coordinator of the WG3 of the National Platform of EaP CSF, who in turn disseminates it to the WG3 members. Activities are more often communicated post-factum, there is no information available on the planned activities. Also there is no detailed arguments on the decisions taken by the MoE.
6.	Is the language of this communication accessible to non-specialists?	3			The language is oriented to the general public and does not use specific terminology.

7.	Does the MoE actively communicate with various stakeholder groups?			1	MoE communicates with other government institutions, with CSOs through periodic meetings, also through the meetings with public from regions while on their visits to regions, towns and villages.
8.	Is information on the start of decision preparation available at an early stage?	3			The start of the decisions are published on the dedicated section of the MoE website.
9.	At this stage, does the environmental monitoring system and the procedure of centralized data collection provide up-to-date environmental information?		2		Environmental Agency provides monthly reports on the environmental state of the country. Reports are briefly describing the results of the monitoring and include information on the air quality (Chisinau and Balti municipalities), environmental radioactivity level across the country, surface water quality and soil quality in the monitoring sections according to its annual monitoring program, as well short data on the waste monitoring based on the SIA.md waste monitoring system. There is no real-time environmental monitoring system, so for ex. Information on the environmental quality for June month will be available after first week of July.
10.	Does the collected data is being transformed into information for decision-making on a system basis?			1	Considering that there is no integrated database for environmental data, just some information collected by the Env Agency/Statistic Bureau are assessed and transformed into narrative that could be used for policy making. For ex: waste production but per general not on different types of waste; water and sanitation data. Some data have been assessed and transformed into an analysis of the Environmental indicators .
11.	Are the main UNECE environmental indicators currently being calculated? How many out of 42?		2		Yes. Within the ENI SEIS II East, Moldova has reported on 40 indicators out of 42.
12.	Is the content of reforms in the context of the implementation of the Association Agreement sufficiently communicated?			1	Information on reforms in the context of the AA is not developed by MoE. Some NGOs are developing reports on the integral implementation of the AA.
13.	Is country actively cooperating with SEIS II / EEA to bring its information system in line with EU / UNECE requirements?			1	The country has cooperated with the SEIS II/EEA in the period 2016-2020. Moldova is slowly adjusting its informational environmental systems, but there is no joint system for all data.

14.	Is there a list of Working Groups and its contact persons for communication on the website of the MoE?				0	No information on the working groups available.
15.	Is public procurement transparent?	3				The public procurement is announced on the MoE website. The results are also placed on the dedicated section of the website - Procurement .
16.	Have other transparency assessments of MoE been carried out, and if so, what is the result?			1		Assessment of the former Ministry of Agriculture, Regional Development and Environment has been carried out by the Court of Auditors for the 2020 year. According to it - the audit opinion is with reservations. A report for the 2021, when the MoE was reinstated is not available by now.
17.	What is a degree to which the digitalization being progressed?			1.8		
	1) Is there sufficient legal base?		2			Regarding the legal framework, Moldova has approved most of the fundamental regulations needed to sustain its digital transformation (digital identity, privacy, basic cybersecurity, open data, etc). However, further work needs to be done looking forward. Many of the regulations, such as data protection and cybersecurity, need an urgent update to adjust to new developments and align with new international trends, such as European Union's GDPR. Moldova is also lacking specific regulations on new digital technologies, such as Artificial Intelligence or blockchain.
	2) Was the responsible senior official designated?		2			There is a dedicated e-Governance Agency with relevant competencies and a clear mandate across multiple sectors, and a dedicated executive and regulatory body – the Ministry of Economy and Infrastructure. Moe should send and update information on the website, but there is no one directly responsible for the process.
	3) Whether new public instruments being developed during last 5 years?	3				The new waste reporting portal SIA.md , the State cadastre of water has been developed, protected areas cadastre . A new instrument on the public participation has been also developed - EcoAlert .
	4) Is number of users growing?		2			People are starting using digital instruments and platforms to access services and information, or for reporting.

	5) Is there a progress in building an integrated electronic environmental information system?				0	There is no integrated instrument for environmental data.
18.	Behaviour of civil servants, the atmosphere as a whole concerning transparency/ openness.		2			In certain departments of the MoE there is a high level of openness to the public, CSOs or other institutions when it comes to the access to information.
Total score						34.7 points out of 54, 64.3%

III. Participation						
№	Indicator (Question)	Yes			No	Verification/ comments
		Exc	Adeq	Poor		
		(3)	(2)	(1)		
1.	Is the public participation in the preparation of strategic decisions on environmental matters ensured?			1.83		
	1) Policies, plans, programs, where the MoE is the main developer, including Comprehensive Governmental programs and policy documents (Strategies, action plans) requiring consent by other Ministries of the Cabinet concerned;		2			Draft documents (plans, programs, normative acts) are subject to public consultations and the initiation phase is also announced on the MoE website and on the www.particip.gov.md portal. The process is oriented to the public participation to the decision making, and the portal is not for the consent or feedback from other ministries.
	2) Preparation of normative legal acts: draft laws, decrees and orders of the government, orders of the MoE;	3				Draft documents (plans, programs, normative acts) are subject to public consultations and the initiation phase is also announced on the MoE website and on the www.particip.gov.md portal. Also the initiation of the decision making process is also announced on the MoE website.

	3) Decisions on planned activities that may affect the environment (EIA procedure).		2		Information available on the MoE website, but the information is more about the decisions made not planned ones.	
	4) Decision on the appointment of heads of Nature Reserve Fund objects.		2		Decisions are published on the dedicated section of the MoE website. The evaluation commission is appointed internally, there is no open call for NGOs	
	5) Is the public being informed about the results of taking into account or not taking into account the comments provided to the draft document/ decision at the level of the MoE?			0	No public information available.	
	6) Does the public have an influence on the decision of the MoE?		2		Public has an influence on the decisions made, the most recent is the modifications to the law on wastes, that implied the inclusion of the tire incineration as a way for waste elimination that was extremely badly perceived by the people living in the proximity of a cement production plant.	
2.	Is the participation of all stakeholders ensured?			1	The participation is ensured by the announcement of the initiation of drafting of a legislative act / consultation of the draft legislative act on the MoE website and public participation platform www.particip.gov.md website. But there is no other means for public information about the decision making, so if someone does not have timely access to internet, then he/she will not know about the process.	
3.	Is public participation ensured at an early stage?				0.33	
	1) On policy: problem and causes analysis, the decision to formulate policy;				0	No often involvement of public to problem and causes analysis.
	2) Regarding the types of activities;			1		Slightly.
	3) Is the annual public consultation plan published?				0	No annual plan.
4.	Is public participation in monitoring and evaluation of the implementation of policies, plans and programs ensured?				0.33	No implication of public to the monitoring.

	1) Are there approved procedures?				0	No procedures.
	2) Is there a well-established practice / examples?				0	No examples.
	3) Is this process transparent?				0	
	4) Does the public participate in the preparation of reports on the implementation of environmental policy?			1		Depends on whether or not requires by legislation (the report) but more often it is not involved in the development of official reports. Only some CSO organisation might be involved when MoE can ask for some relevant information on the actions preformed and results achieved in the fields of interest, for ex. Development of Management plans for the rivers sub-basins within the projects implemented by environmental NGOs.
	5) Is there a permanent dialogue with public/ stakeholders on the implementation / effectiveness of environmental policy?			1		No periodicity on the meetings with environmental CSOs.
	6) Does the public participate in the discussion of the report of the Ministry of Environment on the implementation of the annual action plan?				0	No public discussions.
5.	Is there a shadow report (s) being published by civil society institutions/ civil society association?			2		There are 2 shadow reports directly related to the environment: Shadow report on the Aarhus Convention implementation in Moldova (2021) and Shadow report on the SDG 7&13 (2021) . An integral shadow report on the EU-Moldova Association Agreement also has been released in 2021 that includes a chapter dedicated to the Environment. Water quality and waste management are not covered in any shadow reports.
6.	Is the Ministry of Environment actively cooperating with CSOs and its platforms/ coalitions (National platform of the EaP CSF, AA CS Platform, Public Council, other);			2		MoE is cooperating with CSOs, there are meetings organized on various topics consultations, but there is no periodicity in those.

7.	How significant is the role of CSOs and its coalitions in the decision-making on environmental and climate reforms implementation?	3				CSOs have a strong voice and are actively participating in decision-making, during public consultations. One of the recent examples is the modification to the Waste law , even though it was examined in the plenary session of the Parliament, it has not been approved because of a strong reaction from several environmental NGOs.
8.	Behaviour		2			Staff of the MoE is involved in the process of the public consultations and is open for cooperation, but there are still some reluctance when it comes to the assessments and reporting, as public and representatives of CSOs are not perceived seriously (they “don’t have expertise”).
Total score						12.5 points out of 24, 52.1%

IV. Accountability

№	Indicator (Question)	Yes			No	Verification/ comments
		Exc	Adeq	Poor		
		(3)	(2)	(1)	(0)	
1.	Does the MoE explain what and why it is doing?			1		Some of the actions are explained by public announcements or news on the MoE website or Facebook page.
2.	Is the structure and functionality of the MoE clear today, in particular, regarding strategic planning?	3				The structure and mission of the MoE is clearly described on its website and in its Regulation .
3.	Does the reporting of the MoE comply with the principle of accountability? (evaluation and feed-back)			1		MoE reports on the budget execution and on its annual activities. Reports are not subject to public discussions. Progresses and performance is also presented in the monitoring reports on the sectorial strategies and programs/plans.

4.	Types of reporting and systematization		2.5		
	1) Does the MoE issue regular report on Environmental policy assessment, including achieving Environmental policy targets?		2		Annual monitoring report on the national strategies implementation but not all the reports are available or are the most recent. No periodicity on some strategies. One of the explanations might be the transition from one website to another, after the re-establishment of the MoE.
	2) Does the MoE issue regular report on environmental budget revenues and expenditures?		2		MoE has an annual budget plan, and issues a report on its execution. A report for 2021 is not yet available, the MoE being reinstated in august 2021.
	3) Does the MoE issue regular report on State of Environment?	3			Annual report on the environmental state, issued by the Environmental Agency. There is also a consolidated Environmental report issued every 4 years.
	4) Is the reporting system clear and understandable for public?	3			The reports are easy understandable by the general public, presented in an easy language.
5.	Are the reports accessible for public?		2		Annual Reports of the MoE are open access, published on MoE website. Reports on the State of Environment are published on the EA website, but there is no connection between the information published by the EA and MoE.
6.	Is there return connection/ public discussion of the report's findings?			0	No feedback for the reports.
7.	Is there procedure for submitting comments/ suggestions to reports and mechanism of its consideration and communication concerning taking into account/ not taking into account?			0	No procedure.
8.	Does Ministry of Finance include into regular reports full information on environmental revenues, its distributions and expenditures?			1	Annual reports on budget execution only includes expenditure for the environment.

9.	Behaviour		2			MoE and its subordinated institutions issues periodic reports (annual/monthly/weekly) and make them public, with open and free access. Governmental institutions are more likely now to disclose its progress on activities, but there are still some things to be worked out, to ensure a greater rate of accountability and transparency, as not all the information is disclosed on the website or it does not include important subjects and is not discussed with target groups or general public.
Total score						12.5 points out of 27, 46.3%

V. Effectiveness

№	Indicator (Question)	Yes			No	Verification/ comments
		Exc	Adeq	Poor		
		(3)	(2)	(1)	(0)	
A.	Policy					
1.	Is environmental and climate policy effective?		2.15			
	1) Does environmental policy contain measurable objectives and time-table?		2.5			Environmental Strategy for 2014-2023 and Action Plan for its implementation includes an Action Plan for its implementation with measurable objectives.
	a) framework strategy/ national environmental action plan	3				National Environmental Strategy for the period of 2014-2023, approved by Government Decision No. 301/2014 , that is currently in force, was adopted with the purpose to create an efficient environmental governance, which will contribute to an increased quality of environmental factors and will guarantee the population right to a clean, healthy, and sustainable environment. The strategy has been monitored yearly and the annual reports on its implementation have been presented to the

					Government of the Republic of Moldova. The Strategy reflects 8 specific objectives, and throughout the last decades most of the indicators were achieved. Additional input is yet required in such activities as water quality, air quality, conservation of biodiversity, extension of the forest, pollution control, environmental liability, etc.
	b) environmental sectors strategies/ national environmental action plans		2		Strategies for several sectors: low emissions development , biodiversity , adaptation to climate change , waste management , water and sanitation , reduction and elimination of POPs , sustainable development of the forestry , promotion of the green economy , sustainable management of chemicals , anticorruption in the environmental field . Strategies include Plan of actions, and monitoring reports are issued annually, but not for all sectorial strategies those are available, for ex. For the implementation of the Stockholm Convention only 2018 information is placed on MoE website which is not available ²³ also no report on the sustainable forestry.
	2) Is policy formulation preceded by an evaluation of the effectiveness of previous policies?		2		Policies and strategies include an assessment of the current situation and of the previous actions taken within previous strategies terms (in case it existed).
	3) Whether policy adopted contains concrete quantified targets?		2		Some of the policies have targets formulated more detailed, but some have just general formulation (not SMART objectives – for ex. Not all of the Environmental strategy objectives are detailed), although they are described in the Action Plan.
	4) If yes, is regular report (s) containing an analysis of achieving these targets?		2		Annual reports on the respective developments towards achieving the strategic targets are developed and published on the MoE website .
	5) Is there enough time to find out all the possible consequences / results that are planned and taking into account suggestions and comments from stakeholders?		2		Information to complete the whole picture of achievement is requested from all the stakeholders, and assessed in due time, but sometimes there are time constraints in terms of public consultations.
	6) Are the environmental and climate impacts of policy implementation being assessed at the planning stage?	3			MoE and its subordinated institutions (Environmental Agency) evaluates the policy documents and formulates its decision.

²³ <https://mediu.gov.md/ro/content/7-strategia-na%C5%A3ional%C4%83-cu-privire-la-reducerea-%C5%9Fi-eliminarea-poluan%C5%A3ilor-organici-persisten%C5%A3i>

a) for environmental/ climate policy documents,	3			All policies documents are sent for notice to all ministries, including MoE, who has its opinion on the document.
b) for other policies document.	3			All policies documents are sent for notice to all ministries, including MoE, who has its opinion on the document.
7) Is the economic impact of policy / instrument implementation assessed?		2		Economic impact is assessed in terms of expenditures for the implementation and achievement of the proposed objectives. Every new legal act and policy has the economic and financial substantiation part described but it describes only what the sources of expenditure will be and no exact figures are estimated and presented.
8) Is the implementation of the state environmental policy monitored on the ground?		2		Implementation is monitored by the annual reports of the Env Inspectorate or Env Agency. Often, Env Inspectorate reports are just annual copying of the same information on some chapters, just few things are updated. As national environmental policies are integrated in the regional development strategies (for 3 regions – north, centre, south), those are monitored and annual progress reports are issued. In 2022 a new strategic plan has been developed for 2022-2028 period.
9) Does the environmental data collection and processing system provide information for decision making?		2		Environmental data from the monitoring is assessed, analysed and conclusions and results are used for policy development and decision-making. Considering that there is no integrated system for environmental data, sometimes is difficult to intertwine environmental information for a solid argument to be used in decision making
10) Is the implementation of state environmental policy ensured at the regional and local levels?		2		Implementation of the environmental policy at regional and local levels is ensured by the local authorities, as well as regional offices of the Environmental Agency and local offices of the Environmental Protection Inspectorate. Also Regional development Agencies have their regional development strategies that include the environmental part. Unfortunately not all local authorities have the environmental /climate change part included and analysed in their local development strategies or plans.

B. Financing						
2.	Is financial management of state environmental and climate funds efficient?			1.43		Fines are low, for some economic agents it is easier to pay a fine then to comply to the law.
	1) Is the amount of fees for nature use, pollution and fines sufficient to influence the environmental behaviour of the polluter / user?			1		Fines are low, for some economic agents it is easier to pay a fine then to comply to the law.
	2) Is most of the revenue from environmental payments being used for environmental purposes?			1		It is hard to follow how environmental revenues are used, as all payments are to the state budget, and afterwards it is used to finance all governmental activities. According to the study made in 2022 by NEC and Expert-Group, for the 2019 year only 0.5% of the budgeted expenditures were allocated to the Environmental protection (226 mln lei), on the other hand, environmental taxes in 2019 represented 2,3% of GDP (4,9 mld lei).
	3) Is overall environmental budget sufficient to cover policy implementation?			1		Usually the smallest share of the annual state budget is for the environmental field and for policy implementation external funding is seeking.
	4) Are environmental budgets (State, locals) being used exclusively for environmental purposes?			1		Considering that the local budgets dedicate to environment is small, it is used accordingly, but if there is a case to increase the budget for social needs, it can be used so.
	5) Is targeted spending being controlled?			2		Annual reports on annual budget are issued by local and central authorities. Budgets are built on specific expenditure lines, so the audit looks on how the public money is spent according to the annual budget plan.
	6) Is there special environment and climate fund existed as legal entity?			2		The Ecological Fund, which is now in the phase of update and reorganisation. A special Project Implementation Unit has been opened by the MoE to manage environmental projects financed by externals donors.
	7) Are there cases of successful foreign investments into 'greening infrastructure' projects detected?			2		One of the successful external investment is the Ecologization of the SMEs within the EU4Environment project.

3.	Whether Association Agreement environmental reforms of environmental policy and legislation progressing? (thematic strategy + framework law/ implementing directive law + underlaw regulation are adopted for each thematic direction of work)		1.3		<p>Yes, AA includes 25 environmental directives of UE. In 2020, 18 new legislative acts were approved, that are transposing UE directives into national legislation.</p> <p>According to the 2020 Report on the AA implementation in Moldova in 2017-2019, for the Environment chapter, 24 actions has been completed out of 59 (40,67%).</p>
	1) Climate change		2		<p>9 actions out of 18 have been implemented according to the 2020 report. In 2022 Law on atmospheric air has been approved.</p> <p>Approval by GD no. 1277/2018 of the National System for Monitoring and Reporting of Greenhouse Gas Emissions and Other Information Relevant to Climate Change;</p> <ul style="list-style-type: none"> - Approval by MADRM Order no. 11/2018 of the List of installations falling under EU Directive 2003/87 on the establishment of a greenhouse gas emission allowance trading system; - Approval by GD no. 107/2019 of the Methodology for calculating the impact of biofuels and bioliquids on greenhouse gas emissions.
	2) Environmental governance and horizontals, including Environmental Impact Assessment, Strategic Environmental Assessment, information and public participation?		2		<p>Law no. 11/2017 on the strategic environmental assessment that transposes the provisions of EU Directives 2001/42 and 2003/35 and approved MADRM Order no. 219/2018 - Guide on conducting procedures on strategic environmental assessment and adjusting the existing regulatory framework to the new strategic assessment system. Guide on the execution of procedures for environmental impact assessment was approved by MADRM Order no. 1/2019. In order to implement the principles of the “green” economy in harmony with economic development and social welfare, The program regarding the promotion of the green economy in the Republic of Moldova for the years 2018-2020 and its Implementation Plan was approved by GD no. 160/2018.</p>

	3) Air quality			1	<p>HG. no.373 / 2018, the National Register of Pollutant Emissions and Transfers (RETP) was approved, through which pollutant emissions are reported, recorded and monitored. For the efficient application of the Register, the Guide for facilitating the implementation of the National Register of Emissions and Pollutant Transfer was approved by MADRM Order no. 190/2019.</p> <p>LAW No. 98 of 14-04-2022 regarding the atmospheric air quality approved in 2022 to be implemented starting from 2024.</p>
	4) Water quality and Integrated Water Resources Management	3			<p>In order to manage water resources and increase water quality, the following actions have been taken:</p> <ul style="list-style-type: none"> - adopted the Law no. 249/2018 for the amendment of the Water Law no. 272/2011; - approved by MADRM Order no. 182/2018 of the Methodology regarding the management of small and medium rivers; - approved by GD no. 814/2017 Management plan for the district of the Dniester river basin; - approval approved by GD no. 955/2018 Management plan for the Danube-Prut and Black Sea river basin district; - approved by GD 491/2019 the concept of the automated information system “State Cadastre of Waters”. <p>Also, the Law on drinking water quality no. 182/2019 (transposes Directive 98/83 / EC), which will enter into force in January 2021.</p> <p>In order to manage the flood risks, the GD on amending and supplementing the GD no. 1030/2000 “on the approval of the Scheme for the protection of localities in the Republic of Moldova against floods” (transposes EU Directive 2007/60).</p>
	5) Waste and resources management			1	<p>Regarding the waste management, the following normative and legislative acts were approved:</p> <ul style="list-style-type: none"> - GD no. 682/2018 on the Concept of the Automated Information System “Waste Management”; - GD no. 99/2018 on the List of wastes; - GD no. 501/2018 approving the Instruction on keeping records and transmitting data and information on waste and its management; - GD no. 212/2018 approving the Regulation on waste electrical and electronic equipment;

					<ul style="list-style-type: none"> - GD no. 645/2019 approving the Regulation on polychlorinated biphenyls; - Law no. 116/2019 for the amendment of Law no. 209/2016 on waste in order to create a legal basis for the development of regulations on incineration and co-incineration of waste and the establishment of specific requirements for facilities.
6) Nature protection, including forests		2			<p>In order to conserve natural habitats and species of wild fauna and flora, by Law no. 162/2017 amending and supplementing some legislative acts, the provisions of Directive 92/43 on the conservation of natural habitats and species of wild fauna and flora have been transposed into The law of the vegetal kingdom no. 239-XVI / 2007 and Law no. 94-XVI / 2007 regarding the ecological network.</p> <p>Public events were organized to inform and raise awareness in civil society, including pupils and students, about plant and animal species and habitats that require a special conservation regime.</p>
7) Industrial pollution and hazards			1		<p>In the field of industrial pollution and industrial hazards, the draft Law on the control of major-accident hazards involving dangerous substances has been finalized (transposes Directive 2012/18 / EU (SEVESO III)) and the draft law on industrial emissions is being drafted. it also includes the integrated environmental authorization mechanism (transposes Directive 2010/75 / EU).</p>
8) Chemicals				0	<p>there are some backlogs at the chemicals chapter: no legislation was developed so far :</p> <ul style="list-style-type: none"> • Draft GD on the approval of the Concept of the automated information system “Register of chemicals placed on the market of the Republic of Moldova”; • Draft GD for the approval of the Regulation on prohibitions and restrictions on the production, placing on the market, use and export of chemicals (transposes Regulation no. 1907/2006); • Draft GD on classification, labelling and packaging of substances and mixtures (transposes Regulation 1272/2008); • - Draft law on the control of major-accident hazards involving dangerous substances (transposes Directive 2012/18 / EU);

	9) GMOs			1		In 2022 the draft project of the law on the regulation and control of genetically modified organisms (GD no. 256 from din 20-04-2022).
	10) Noise pollution				0	Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002 relating to the assessment and management of environmental noise is not yet transposed into the national legislation due to the recent reorganization of the public administration. The process of transposition was initiated and is led by the Ministry of Infrastructure and Regional Development, according to the commitments arising from the EU-Moldova common aviation area agreement.
	11) Urban environment					Not included in AA.
	12) Environmental fees					Not included in AA.
4.	Whether Association Agreement (framework) implementing documents (action plan, mid-term strategy, road-map) were adopted?		2			Programme of the AA implementation in 2015-2016, 2017, 2017-2019.
C. Institutions						
5.	Are environmental institutions effective?			1.5		
	1) Does country have a singular dedicated MoE in the Government?		2			One MoE re-established in 2021.
	2) Is overall staff enough in quantity to cover functions according regulation?		2			the MoE includes 62 units of staff which ensures its proper functioning.
	3) What share of staff is dealing with strategic planning and reporting?			1		8% (5 out of 62) it is a low number compared to some other countries.
	4) What share of staff is dealing with information management and communication?			1		6% information management and communication is managed by 3 staff units, 1- institutional management, 1 -communication and information and 1- informational technologies and communication.
	5) What share of staff is dealing with public involvement and feed-back?			1		~2% only 1 person, who mainly ensures communication on the activity of the MoE and visibility of its actions; is not responsible to offer feedback on a regular basis.

6) Are there separation of policy planning, policy implementation and control/ enforcement functions among state environmental institutions?		2			Yes. MoE is responsible for the policy planning. Environmental Agency is responsible for its implementation and monitoring. Environmental Inspectorate is responsible for the control. But in most cases some of the responsibilities are doubled within the abovementioned institutions, that causes a confusion at the implementation stage.
7) Are there separation of administrative, service and economic functions within institutions?			1		There is some conflicts between the administrative and economic functions within institutions subordinated to the MoE (Agency for forests “Moldsilva”)
8) Is there dedicated enforcement and control governmental body (inspectorate)?	3				There is Environmental Protection Inspectorate that has its subdivisions in the districts of Moldova (35 units).
9) Is there body with clear responsibility for the environmental monitoring?		2			According to its statute, Environmental Agency is responsible for the environmental monitoring. But there are some other institutions subordinated to the MoE that are also monitoring some of the components – State Hydrometeorological Service (responsible for the hydrological and meteorological monitoring), Agency for Geology and Mineral Resources (monitors the use of the subsoil), Agency “Moldovan Waters” (monitors water bodies and hydro constructions).
10) Is environmental monitoring system functioning properly?		2			Environmental monitoring system is functional, it provides environmental information, but it lacks some equipment, for ex. For the air monitoring as it is only done in 2 cities Chisinau and Balti, and not uniform across the country.
11) Does it provide real-time data for the accounting?			1		There are few environmental indicators that are monitored in real-time, there is no updated stations for the environmental monitoring at all monitoring posts.
12) Is the function of environmental data analysis for decision-making being permanently performed for all types of environmental surveillance?			1		Some data are processed for the decision making, but more often it is used per se with no further analysis.
13) Is there clear plan of administrative reform in environmental sector prepared?				0	No plan available yet.

	14) Is it prescribed in the Association Agreement/ Framework strategy/ other documents?		2		In order to carry out the institutional reform and strengthen the capacities in the environmental sector, GD no. 549/2018 on the establishment, organization and operation of the Environment Agency, which implements environmental protection policies and monitors the quality of the environment and GD no. 548/2018 on the organization and functioning of the Inspectorate for Environmental Protection, which ensures
					the control of compliance with the legislation related to environmental protection and climate actions. At the same time, two other GD projects are being developed regarding the organization and functioning of the “Apele Moldovei” Agency and the “Moldsilva” Agency. Institutional reform is not directly prescribed by the AA, but it results from the perspective of implementing a good environmental governance.
	15) Are there active involvement by MoE and local authorities of different stakeholders into the decision-making process?		1.5		MoE and local authorities are involved now in the decision making process for the identification of the location for the regional waste management sites. Stakeholders involved are local authorities, civil society and people directly affected by the ongoing or future activities or processes.
	a) State level		2		
	b) Local level		1		
6.	Are there visible progress in performance in such areas as:		1.29		
	1) Climate change	3			According to the stipulation in the AA there is a substantial progress in the climate change field, Moldova has updated its NDC in 2020. Adaptation and mitigation aspects of climate change are addressed in two policy documents: the Low Emissions Development Strategy (herein after - LEDES) to 2030 and the National Adaptation Strategy. Currently documents are under review, National Program for Low Emissions Development (hereinafter - NPLED) and the National Adaptation Planning Programme. They will cover the period till 2030 (NAP-2) and incorporate country’s commitments assumed under the Paris Agreement, formulated in the updated National Determined Contributions (hereinafter - NDC2). The updated NDCs have been submitted to the Secretariat of the UNFCCC, in March 2020. Moldova

					increased its climate mitigation ambition by indicating NDC2 with unconditional GHG reduction target by 70% below 1990 level in 2030, instead of 64-67% as committed to in 2015. As to the new economy-wide conditional target, instead of 78%, the reduction commitment is up to 88% below 1990 level.
	2) Environmental governance and horizontals			1.5	
	a) Whether the application of Strategic Environmental Assessment prevents the adoption of environmentally hazardous policies?			1	<p>For plans and programs at national level, including sectoral and cross-sectoral ones, approved by the Government or Parliament, the competent authority that consults the initiator of the draft plan or program at the pre-evaluation stage, examines the draft plan or program, the strategic evaluation report and decides upon the issue or rejection for issue of environmental notice at different levels is the MoE, and the competent authority for local level plans and programs, approved by the local public administration, is the Environment Agency.</p> <p>The strategic environmental assessment is carried out for plans and programs developed in agriculture, forestry, fisheries, energy, industry, transport, waste management, water resources management, electronic communications, tourism, land use, urban and rural planning (urban planning and landscaping documentation, including the plans and programs for the arrangement of the national, regional, district and general urban plans) and which establish the framework for granting the authorization to carry out the projects and activities provided in the annexes to Law no. 86/2014 on environmental impact assessment. Not all or not always environmentally hazardous policies are thoroughly assessed through the SEA process. One important example is the modification to the Law on waste proposed in 2022, that caused heated discussions among representatives of the Parliament, MoE, civil society and public that felt affected by such changes.</p>
	b) Whether the application of Environmental Impact Assessment prevents the implementation of environmentally hazardous projects?			2	Environmental impact assessment applies to all public and private projects or certain types of planned activity, for the subsequent establishment of direct or indirect changes in the environment caused by carrying out economic activities that affect or may affect both population health and biological diversity, soil, basement, water, air, climate, landscape, material goods and cultural heritage.

				<p>The environmental impact assessment procedure is regulated by the provisions of Law no. 86/2014 on environmental impact assessment, in force since 04.01.2015, which partially transposes Directive 2011/92 / EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment. For the implementation of Law no. 86/2014, by the Order of the Ministry of Agriculture, Regional Development and Environment no. 1 of 04.01.2019, the Guide on the execution of procedures on environmental impact assessment was approved.</p> <p>EIA is performed by the Env Agency according to the national law, that has been amended in June 2022 to simplify the processes. Accordingly, all projects has to be assessed through the lenses of the law and a conclusion is made: either no further assessment is needed, or the project should go through ecological expertise or EIA.</p> <p>A list of all the projects assessed is available on the Env Agency website.</p>
3) Air quality			1	<p>New law on air has been approved, but it will start to be applied in 2024. There is still need for the development of additional regulations and informational systems for emissions monitoring and inventory</p>
4) Water quality and Integrated Water Resources Management			2	<p>An extensive list for water quality and water management legislation has been developed (drinking water, surface water, groundwater, residual water).</p> <p>In order to manage water resources and increase water quality, the following actions have been taken:</p> <ul style="list-style-type: none"> - adopted Law no. 249/2018 for the amendment of the Water Law no. 272/2011; - approved by MADRM Order no. 182/2018 of the Methodology regarding the management of small and medium rivers; - approved by GD no. 814/2017 Management plan of the Dniester river basin district; - the approval approved by GD no. 955/2018 The management plan of the Danube-Prut and Black Sea river basin district; - approved by GD 491/2019 the Concept of the automated information system “State Cadastre of Waters”. <p>Also, the Law on drinking water quality no. 182/2019 (transposes Directive 98/83 / EC), which entered into force in January 2021.</p>

	a) Whether the Basin councils are established?		2		<p>2 District Basin Councils are established (Dniester, and Danube-Prut and Black Sea).</p> <p>There are also 16 sub-basin Councils established out of 39 sub-basin delineated in Moldova.</p>
	b) Whether they could make their own decision not governed from the centre?		2		<p>Some of the sub-basins Councils have developed their plan of actions and management programme (MP). River sub-basins management plans, in most of the cases, were developed by environmental NGOs within their projects. There are 4 sub-basin river MP, and 5 studies that include information on the sub-basin, out of 39 sub-basins.</p> <p>Dniester and Danube-Prut-Black Sea district basin councils have developed their own management plans (cycle I), under coordination of the MoE and Moldovan Waters Agency.</p>
	5) Waste and resources management			1	<p>Waste law is in force, some of special Regulations have been developed (batteries, radioactive waste, medical waste, package waste).</p> <p>Regarding the waste management, the following normative and legislative acts were approved:</p> <ul style="list-style-type: none"> - GD no. 682/2018 on the Concept of the Automated Information System “Waste Management”; - GD no. 99/2018 on the List of wastes; - GD no. 501/2018 approving the Instruction on keeping records and transmitting data and information on waste and its management; - GD no. 212/2018 approving the Regulation on waste electrical and electronic equipment; - GD no. 645/2019 approving the Regulation on polychlorinated biphenyls; - Law no. 116/2019 for the amendment of Law no. 209/2016 on waste in order to create a legal basis for the development of regulations on incineration and co-incineration of waste and the establishment of specific requirements for installations. <p>But there is still no institutional capacity for the good waste management practices, separate waste collection is not practiced in all localities of the country.</p>

	6) Nature protection		2		<p>In order to conserve natural habitats and species of wild fauna and flora, by Law no. 162/2017 for the amendment and completion of some legislative acts, the provisions of Directive 92/43 on the conservation of natural habitats and species of wild fauna and flora were transposed in the Law of the vegetable kingdom no. 239-XVI / 2007 and Law no. 94-XVI / 2007 regarding the ecological network.</p>
					<p>But there is no progress on the development of a draft law on habitats (transposes Directive 92/43). Also the Emerald network was not defined in Moldova.</p>
	7) Industrial pollution and hazards		2		<p>Law on the control of major-accident hazards involving dangerous substances no 108 from 18.06.2020 has been approved and the draft law on industrial emissions, which also includes the integrated environmental permit mechanism has been developed. The control duties, planning, period, frequency, investigation, and conclusions of the controls are regulated in Art. 19 of Law No. 108/2020. Thus, the Environmental Protection Inspectorate, the Technical Supervision Agency, and the General Inspectorate for Emergency Situations (as an advisory body) organize a control system adapted to the type of establishment.</p> <p>To enforce the Law, the secondary normative framework is currently being developed. The development and implementation of regulations and methodologies will play an important role in reducing the impact on environmental components (water resources, harmful emissions to air and soil) in the event of Seveso-type accidents.</p> <p>Therefore, the enforcement of the provisions of Law No. 108/2020, through the implementation of the secondary normative framework according to the draft Government Decision developed, establishes the effective coordination mechanisms between the authorities and the operators of the establishments falling under the provisions of the mentioned Law and the necessary measures to be taken in activities and in case of a major accident.</p>

8) Chemicals			1		Law on chemical substances has been approved in 2018, A series of regulations are under development and enforcement as Government Decisions: Chemicals Agency Regulation, CLP Regulation; GLP Regulation, Detergents Regulation, POPs Regulation; Regulation on authorisation of hazardous chemicals; Prohibitions and Restrictions on the production, placing on the market, use and export of chemicals and on the list of prohibited and restricted chemicals Regulation; Safety Data Sheet Regulation. Accordingly, without those regulations it is hard to assess its performance.
9) GMOs			2		Draft Law on GMO has been approved in 2022, and there is not enough time and data to assess its performance.
10) Noise pollution					<p>No special law, decision or regulation on noise pollution assessment and levels exists or has been developed, even a draft nor an initiation of the process has been announced. Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002 relating to the assessment and management of environmental noise is not yet transposed into the national legislation due to the recent reorganization of the public administration. The process of transposition was initiated and is led by the Ministry of Infrastructure and Regional Development, according to the commitments arising from the EU-Moldova common aviation area agreement.</p> <ul style="list-style-type: none"> o The legal framework for environmental noise abatement is regulated by the following normative acts in the Republic of Moldova: - Government Decision No.181/2019 for the approval of the Health Regulation on the permissible noise and vibration emission standards upon conducting indoor trade activities; Construction norms NCM E.04.02:2014 Protection against noise, approved by the Ministry of Regional Development and Constructions by Order No.199/2014; Moldovan standard SM ISO 1996-1:2020 Acoustics. Environmental noise description, measurement, and evaluation. Part 1: Fundamental measures and assessment methods, approved by the Decision of the Institute for Standardisation of the Republic of Moldova No.137/2020.
11) Urban environment				o	No substantial progress.

	12) Environmental fees				0	No progress.
	Behaviour			1		Need and urge for developing and implementing reforms is low among the majority of the people working at the MoE. Arguments provided: too many reforms, not enough time to develop them in a qualitative manner and not enough people involved, even though the total staffing of the ministry has increased from 28 to 62 units. Newly appointed staff is more eager to update existing legal base and the existing structure.
Total score						10.7 points out of 21, 51.0%

VI. Coherence						
No	Indicator (Question)	Yes			No	Verification/ comments
		Exc	Adeq	Poor		
		(3)	(2)	(1)	(0)	
A.	Environmental and climate policy integration					
1.	Transparency			1.57		
	1) could you obtain the information concerning environmental and climate aspects of the sectoral policy from sectoral ministries (energy, transport, agriculture, industry, tourism) without taking the rout back to the MoE?			1		According to the Law on the access to information no. 982 of 11.05.2000 , specifies what kind of information can be requested, how it can be requested, and what is the time to receive an answer. Also information on the forms of request is presented on each website of the ministries of Moldova. Also, Regulation on public access to environmental information (Government decision no. 1467 of 30.12.2016) specifies the conditions of public access to environmental data, on how the environmental information can be requested, and the terms of obtaining it.

					Also according to the Regulation, environmental data should be placed on the open data government website date.gov.md, but it has not been updated since 2014. Officially, MoE remains the main administrator of the environmental and climate information.
2) does the Parliamentarian web-site and the Parliamentary environmental policy committee provides public access to its decisions/ draft laws?	3				Yes, information on the Parliamentary Commission on environment and regional development activity is available, also all the draft laws or modification to laws are also available on the parliament website.
3) does the public access is being provided to draft decisions of President on environmental matters?		2			All the initiatives on decisions are available on the President website https://presedinte.md/rom/proiecte-de-decizii . But thematic drafts of normative acts are developed by respective ministries and then passed to the President for approval.
4) whether regional environmental authorities follow legal requirements on public access to environmental information?			1		Environmental divisions of the environmental authorities don't have their own website, it is within the general one. Some of the regional authorities have dedicated sections for environmental information (plans, programs or reports). Some of the local public authorities are presenting environmental information on their websites if those exists.
5) do they have web-sites (environmental divisions of state regional bodies)?		2			Environmental Agency divisions and those of Env Inspectorate don't have their own websites. Local authorities and District Councils have websites, as well as Regional Development Agencies.
6) is it regularly updated with environmental information? (is it regulated by the national law?)			1		Depending of the administration. Divisions of the Env Agency – information is compiled and published on the main website of the Agency. Regional development Agencies – has developed some regional strategies on subjects of environmental matter: waste management or water and sanitation, annual reports on the strategies performance are published.

	7) if not, whether environmental information from regions accessible from the MoE web-site?				-	Regional environmental information is not accessible via MoE website. Some information (statistics) are available through the databank (regional waste formation, water abstraction etc).
	8) if yes, is it of sufficient quality?			1		
2.	Participation			1		
	1) Does MoE consult with CSOs in preparation of an official position for Multilateral Environmental Agreements Meetings of the Parties, Conferences of the Parties, other international Foras;			1		Irregular, selective, mainly not.
	2) is public participation on environment and climate matters ensured by other sectors Ministries in preparation of their strategic policy documents?			1		According to Strategic Environmental Assessment procedure, yes, however, often without feed-back and limited procedure (of course, also taking into account COVID-19 quarantine).
	3) are environmental draft laws on Association Agreement implementation easily gather quorum for voting in the Parliament?			1		It depends on the field of the law. The last amendments to the Law on Waste has not been adopted easily.
	4) whether CSOs involved into the preparation of environmentally important draft decrees of the President?			1		Not directly, or by an open call, more often via MoE or reaching a CSO directly (external independent expertise).
	5) whether regional environmental departments ensure public participation in the decision making?			1		Mainly on regional environmental strategies preparation, where it is existed, some project's competition initiatives, etc.
	6) whether CSOs play significant role in the decision making at the local level?			1		Not much, considering the fact that local CSOs even though are registered are not that active. A better participation is observed in bigger towns and in big cities.
3.	Accountability				0.8	
	1) Evaluation			1		

	a) does MoE report to civil society on participation in int. negotiations after return?			1		Rarely, if yes, in format of news on its web-site.
	b) does profiled Parliamentarian committee report publicly and regularly on its activities?	3				Yes. Example of a report on the public audience on the management of medical waste https://www.parlament.md/LinkClick.aspx?fileticket=1YSwI6wCHhU%3d&tabid=84&mid=486&language=ro-RO
	c) does President's office do it?				0	No.
	d) whether sectoral ministries do it, e.g. for the climate or other?				0	No.
	e) what about regional authorities?			1		In the framework of Regional development strategy implementation and projects of Regional agencies, by region.
	2) Feed-back				0.6	
	a) whether sectoral ministries explain to public their decisions, which have a significant impact on environment and/ or climate?			1		Rarely, selective.
	b) do they provide a feed-back to comments?				0	No.
	c) whether profile committee of the Parliament does?			1		Not publicly.
	d) is such practice existed for the Office of the President?				0	No.
	e) are regional and/ or local departments provide a feed-backs?			1		Some, depending on the department.
4.	Effectiveness				0.97	
	1) Policy			1.6		
	a) Is there progress observed in the environmental policy integration into policies of other sectors?	2				Yes, for example Country programming framework for inclusive and sustainable industrial development Republic of Moldova 2019 - 2023, Energetic strategy of the Republic of Moldova up to 2030.

	b) Is the EU Green Deal reflected in official decisions and/ or action plans?		2		Yes, both at the level of official statement by the national authorities, and at the level of strategic and planning documents (for example Action Plan of the Government for 2021 etc.).
	c) Is there an improvement in environment and climate integration into regional development policy?		2		Yes, districts administration are integrating environment and climate part in their development strategies. Also environment is included in the regional development strategies.
	d) Whether the environmental and climate plans/ strategy started to be prepared at the local level?		1		At the local level, some of the district centres have developed Energy efficiency strategies, or the Water and sanitation or Waste management strategy.
	e) Overall, does environmental sector play a significant role in decision making on economic matters?		1		Getting better, also due to green deal and carbon pricing in trade with the EU. Greening Program of Small and Medium Enterprises (by Government Decision 592/2019 from 27.11.2019) will be implemented by ODIMM with the purpose to promote, support and develop the entrepreneurial capacities of SMEs, in order to adopt in production processes and services providing the greening practices.
	2) Institutions			0.33	
	a) Does MoE have vertical Departments in regions?			0	No
	b) If not, how the coordination on implementing the State environmental policy being ensured?		1		Not very good coordination. Mostly with support to MoE technical assistance projects. Mostly in regards of sectoral coordination (water, waste).
	c) does profiled Parliamentarian committee conduct regular evaluation of its work against environmental policy targets and objectives achievement?			0	No quality analysis, even of Association Agreement priorities, regular reports contain mainly lists of draft environmental laws considered and adopted, meetings, proposals to other draft laws, etc.
5.	International agreements and leadership			1.67	

	1) Is participation in multilateral environmental agreements effective?		2		Depending on the environmental agreement. For ex. Agreement between the Ministry of Environment and Spatial Planning of the Republic of Moldova, the Ministry of Waters, Forests and Environmental Protection of Romania and the Ministry of Environment and Natural Resources of Ukraine on cooperation in the area of protected natural areas of the Danube Delta and Lower Prut is effective in terms of water monitoring in the Prut river and exchange of environmental information.
	2) Are implementation reports timely and open for access?			1	Depending on the convention. Some reports available on the MoE website.
	3) Whether global obligations on environment and climate being implemented?		2		The most visible one is in climate change. Moldova has submitted its update on NDC in 2020. In 2022 the new law on atmospheric air was approved by the president.
	4) Were Sustainable Development Goals adopted by the country?			1	Not yet, in 2016 a National Council for the Coordination of the ODD was established. SDG indicators were nationalised in 2017. In 2020 the draft of 2030 Agenda was presented by the government.
	5) Whether EaP new policy and environmental targets are supported actively?		2		As a tool supporting reforms.
	6) Does country demonstrate green leadership at the international forums/ negotiations?		2		Some, for example Moldova presidency in the ICPDR.
6.	Reflecting the opinion of different stakeholders			1.25	
	1) Whether the environmental policies developed and adopted take into account the gender perspective?			1	Nexus gender – environment is not well developed yet.
	2) Whether the environmental policies developed and adopted take into account the special role of the youth?			1	As above.

	3) Whether the environmental policies developed and adopted consider/ take into account the position of other major social groups (e.g. science, farmers, trade unions, local authorities, business and industry, indigenous people)?		2		The stakeholder involvement process is not well-structured yet, also some groups (t.g. farmers, indigenous people) are themselves not very active and/or conscious on their environmental priorities and rights, while NGOs and science are actively involved; business and industry are permanent lobbyist.
	4) Is there a structured process in regards of their involvement to development and implementation of the environmental and climate policies?			1	Also see above.
7.	Behaviour			2	More and more institutions, central and local authorities are implementing environment and climate priorities in their development strategies, plans, programs and projects. Local authorities have direct access to external funding (EU or USA programs) that help to develop environmental and climate agenda at the local and regional levels. AA and international cooperation on its implementation is another unifying framework, which influence the behaviour. Also, technical assistance projects, international organizations, regional development agencies, CSOs and their platforms.
Total score					9.3 points out of 21, 44.3%

Annex III. Good environmental governance in Ukraine

I. Good environmental governance (GEG) concept application						
№	Indicator (Question)	Yes			No	Verification/ comments
		Exc	Adeq	Poor		
		(3)	(2)	(1)	(0)	
1.	Whether GEG as a concept and/ or GEG principles reflected in the adopted strategic policy documents?			1		<p>GEG as a concept is best reflected in the Roadmap for the implementation of the Luxembourg Declaration, however the Roadmap is not currently used and is not a reference point for authorities at this stage. GEG is also reflected among the Government's priorities in the medium-term action plan until 2020 (2017). However, in the Program of the CMU approved in 2020, only the priority Effective governance remains (which, according to the description of goals and objectives, corresponds to Good governance), and GEG is no longer present. The same trend was observed in the Plan of priority actions of the Government for 2021 (2021).</p> <p>The Strategy of the State Environmental Policy includes among the tasks of Objective 5. Improvement and development of the state system of environmental management "implementation of the principles of good environmental governance, support of constant dialogue with interested parties regarding the preparation and adoption of strategic decisions", and also contains its individual components and a number of indicators that can be used to evaluate GEG, for example, preparation of reports on the implementation of state environmental policy, environmental efficiency index, percentage of programs for which SEA was conducted.</p> <p>https://zakon.rada.gov.ua/laws/show/2697-19#Text</p>

2.	Is GEG as an important direction of reforms being a subject of the dialogue (s) in the society?		2		<p>State authorities have recently not paid enough attention to the discussion of GEG. However, it is expected that it will become an important component in the negotiation process for the acquisition of full membership in the EU. Nevertheless, non-governmental organizations are putting the issue of GEG on their agenda and organizing discussions devoted to this issue. Traditionally, members of working group 3 of the UNP EaP CSF regularly hold discussions on the NEV and its principles, mainly on the basis of prepared analytics. Example: http://eap-csf.org.ua/2022/02/17/initsiatyvy-unp-2021-dovkilna-ta-klimatychna-stijkist-skhp-rh3/</p>
3.	Are there projects/ publications/ soft official documents reflecting/ implementing GEG being existed?		2		<p>At the level of state bodies – the Roadmap for the implementation of the Luxembourg Declaration. At the level of initiatives of non-governmental organizations – Evaluation of the implementation of the Luxembourg Declaration within the framework of the relevant project: https://www.civic-synergy.org.ua/wp-content/uploads/2018/04/Otsinka-vprovadzhennya-Lyukseburzkoyi-deklaratsiyi-v-Ukrayini-nalezhne-ekologichne-vryaduvannya.pdf Current regional project “Advocating for good environmental governance in the EaP region”.</p>
Total score					7 points out of 9, 77.8%

II. Transparency (Openness)						
№	Indicator (Question)	Yes			No	Verification/ comments
		Exc	Adeq	Poor		
		(3)	(2)	(1)	(0)	
1.	Does MoE ²⁴ provide access to the information at its disposal?		2.61			In 2017, the systematization of and access to 31 sets of data were conducted by the MoE, 35 were claimed in April 2021, however, later in October 2021, 66 registers were claimed as the part of new Ecosystem state web-portal newly established https://mepr.gov.ua/news/37315.html https://data.gov.ua/organization/ministerstvo-ekolohiyi-tapryrodnikh-resursiv-ukrayiny?page=1
	1) information on the organizational structure, mission, functions, powers, main tasks, activities and financial resources (structure and amount of budget funds, the procedure and mechanism of their spending, etc.);	3				According to the Law of Ukraine on Access to Public Information (2011).
	2) regulations, acts of individual action (except for internal ones) adopted by MoE, draft decisions to be discussed, information on the legal basis of activity;	3				https://mepr.gov.ua/timeline/Oprilyudnennya-proektiv-regulyatornih-aktiv.html https://mepr.gov.ua/documents/
	3) list and conditions of obtaining services provided by these bodies, forms and samples of documents, rules of their filling;	3				For example, administrative service «singular window» for obtaining integrated environmental permits https://mepr.gov.ua/news/31538.html Dedicated chapter of Administrative service is a part of Main menu item “For business” https://mepr.gov.ua/content/administrativni-poslugi.html

²⁴ Ministry of Environmental Protection and Natural Resources of Ukraine or Ministry of Environment of the Republic of Moldova or Ministry of Environmental Protection and Agriculture of Georgia.

4) the procedure for compiling, submitting a request for information, appealing against decisions of information manager(s) ²⁵ , actions or inaction;	3			https://mepr.gov.ua/content/yak-podati-zapit-na-publichnu-informaciyu.html
5) information on the information accounting system, types of information stored by the manager;			1	This issue didn't progress since 2011, when the Order 22.12.2011 No 561 "On approval of the List of types of environmental information and the Regulation of posting it on the website of the Ministry of Natural Resources" was adopted (partially does not meet the requirements of the Law and needs to be revised). Information about the accounting system has not been made public. https://mepr.gov.ua/search/?s=Про+затвердження+Переліку+видів+екологічної+інформації
6) a list of data sets that are published in the form of open data, including the Register of data sets in possession by the information manager;	3			https://mepr.gov.ua/news/31576.html
7) information on the mechanisms or procedures by which the public may represent its interests or otherwise ways to influence the implementation of the powers of the information manager;	3			There is a separate item in the Main menu at the web-site specifically dedicated to Citizens, which is containing sophisticated information on various tools and mechanisms including public consultations, request for information, participation in the Public council within the MoE, etc.
8) plans of conduction and agenda of its open meetings;			1	The classification of meetings has not been made public. The "Events" section contains announcements, but does not separate events on open and closed, can be identified indirectly by the presence of contacts for registration, the agenda usually is not contained. Information about the event often appears one or two days before the event. https://menr.gov.ua/timeline/Podii.html
9) location of places where the necessary forms and blanks of the institution are provided to applicants;	3			https://mepr.gov.ua/content/yak-podati-zapit-na-publichnu-informaciyu.html

²⁵ Information manager is an entity that have responsibilities (determined by law) for the disclosure and provision of public information in its possession.

10) general rules of the institution, rules of internal labor regulations;	3				https://mepr.gov.ua/content/pravila-vnutrishnogo-rozporядku.html
11) reports, including on the satisfaction of requests for information;	3				https://mepr.gov.ua/timeline/Zviti.html (except reports on environmental policy implementation)
12) administrative information, namely:		2.75			
a) their location, postal address, communication numbers, official website and e-mail addresses;	3				
b) last name, first name and patronymic, official numbers of communication means, e-mail addresses of the head of the body and his deputies, as well as heads of structural and regional subdivisions, the main functions of structural and regional subdivisions, except in cases when this information belongs to limited access list;	3				Currently contacts of heads of structural units are not available.
c) work schedule and public's reception schedule;	3				
d) vacancies, the procedure and conditions of the competition to fill vacancies.		2			The latest open announcements are dated of April 2021. Currently, someone to know about vacancies should sign up with e-mail, after signing, you receive the info that the confirmation was sent to you address, in reality, it is never arrived.
13) Directory of enterprises, institutions and organizations of the information manager and its affiliates, including their identification codes, official websites, e-mail addresses, telephone numbers and addresses;	3				https://data.gov.ua/organization/ministerstvo-ekolohiyi-ta-pryrodnykh-resursiv-ukrayiny?page=2

14) Standards that are approved and subject to publication in accordance with the law by the information manager;	3			https://mepr.gov.ua/documents/
15) Lists of national standards, which in case of voluntary application are proof of compliance of products with the requirements of technical regulations;	3			Ecolabeling https://mepr.gov.ua/content/ekologichne-markuvannya-1.html
16) Administrative data collected (processed) and subject to disclosure in accordance with the requirements of the law by the information manager;		2		https://data.gov.ua/organization/ministerstvo-ekolohiyi-ta-pryrodnykh-resursiv-ukrayiny?page=1 Does not contain all categories defined by the MoE as “Open data”.
17) Lists of regulatory acts indicating the date of entry into force, the period of basic, repeated and periodic monitoring of their effectiveness and information about the place of their publication;		2		The section “Regulatory activity” contains themselves acts, their drafts for discussion and reports on performance tracking (base analysis, effectiveness indicators, with information on period for next report (s)), as well as annual plan on RA preparation, lists is available as strip of clickable titles at the web-page in chronological order, not exhaustive.
18) Register of environmental auditors and legal entities entitled to conduct environmental audits;		2		Open source was not updated since 2017 https://mepr.gov.ua/news/31516.html
19) State Register of Pesticides and Agrochemicals Permitted for Use;	3			https://data.gov.ua/dataset/389ddb5a-ac73-44bb-9252-f899e4a97588
20) Data from regional registers of waste generation, treatment and disposal facilities;			1	https://data.gov.ua/dataset/167c1a07-a76c-463d-90d8-c4deb538cofb https://data.gov.ua/dataset/f18a2e6e-2e80-4d64-b933-b3a6fb769b43 https://data.gov.ua/dataset/mepr_27 The interactive map was functioning since 2017 at the MoE web-site. It is currently off-line, with explanation that it is being integrated into new Eco-system.
21) State Cadastre of Fauna;	3			https://data.gov.ua/dataset/mepr_04

22) State Cadastre of Flora;		2		<p>Update in 2018 https://mepr.gov.ua/news/33159.html</p> <p>No e-access to full cadastre, however https://data.gov.ua/dataset/ccee2f8e-0e74-4ff3-8865-e62e903c520f yes to Green book, which is about groups of plant species and plants in risk to be protected.</p>
23) Red Book;	3			https://data.gov.ua/dataset/b5cdb316-6074-4ef3-a0c5-463ff3a72e68
24) State cadastre of natural territories of resorts;	3			The map of natural treatment resources with hyperlinks to objects, information manager – dedicated Centre of performing this State cadastre https://kurort.gov.ua/tsentr-vedennya-derzhavnogo-kadastru-prirodnikh-likuvalnikh-resursiv/
25) State cadastre of territories and objects of the Nature Reserve Fund;	3			https://data.gov.ua/dataset/mepr_05
26) Lists of licensees;	3			https://data.gov.ua/organization/ministerstvo-ekolohiyi-ta-pryrodnykh-resursiv-ukrayiny?page=1
27) List of sites that are the biggest polluters of the environment;	3			https://data.gov.ua/dataset/4989379f-7d90-4bd8-8da9-47aa7346911a
28) Information about protected areas;	3			https://wownature.in.ua
29) National ecological automated information-analytical system of providing access to ecological information;		2		Was re-thought, new name “Ecosystem” state platform with building principal to combine all accessible e-resources and official data resources, using also new atomized technologies, audio and visual tools. Currently no access due to war restrictions. https://ecolog-ua.com/news/systemy-derzhavnogo-monitoryngu-dovkillya-i-derzhavnogo-naglyadu-kontrolyu-u-sferi-ohorony
30) Data on state tests and registration of pesticides and agrochemicals;	3			https://data.gov.ua/dataset/mepr_06
31) Data from the state environmental monitoring system;		2		Aggregated data from open state sources and public monitoring, concerning air pollution, water pollution, forests fire, etc. https://diia.data.gov.ua/value/ecology#datasets https://data.gov.ua/global_search?q=екологічний+моніторинг

32) Data from the National inventory of anthropogenic emissions and sinks of greenhouse gases;	3			Yes 2019 https://mepr.gov.ua/content/nacionalniy-kadastr-antropogennih-vikidiv-iz-dzherel-ta-absorbicii-poglinachami-parnikovih-gaziv.html Draft 2020 https://mepr.gov.ua/files/docs/klimatychna_polityka/Ukraine_NIR_2022_draft.pdf
33) Information on the state of the environment (water, land, air, forests, biodiversity);		2		National report on state of environment 2020 https://mepr.gov.ua/news/38840.html Clean water – portal of State Water Agency Aggregated data (by public organizations) on air pollution Waste – see above, the format is currently hard to access Forest – see above 31) Soil - problematic
34) List of multilateral international agreements on environmental protection, to which the country is a party, and the state of their implementation;	3			(39) https://data.gov.ua/dataset/14e88505-7761-4565-ab3b-d60eceed0b34
35) List of Directives and Regulations to be Implemented according to the EU Association Agreement, as well as chapters related to the competence of the MoE;	3			Clickable content of the AA with full text is available at the `MoE web-page https://zakon.rada.gov.ua/laws/show/984_011#n2277 TA project report on Environment in the AA contains this information as well https://www.civic-synergy.org.ua/wp-content/uploads/2018/04/Dovkillia-Fin-6.pdf
36) List of confidential information restricted for public use (limited to official use only);	3			https://mepr.gov.ua/documents/662.html (2012)
37) Environmental Impact Assessment (EIA) Registry	3			With limited public access due to war restriction https://mepr.gov.ua/news/39302.html
38) Pollutant Release and Transfer Register PRTR			1	National PRTR was presented by MoE as a part of Ecosystem portal, now is not accessible due to war restriction https://www.kmu.gov.ua/news/mindovkillya-prezentuvalo-nacionalnij-reyestr-vikidiv-ta-perenesennya-zabrudnyuvachiv Draft law is registered and on consideration in the Parliament.

	39) Does the ministry systematically respond to requests for information?	3			Regular reports are published systematically.
2.	Is the legislation sufficient?	3			Yes.
3.	Is the information on the MoE website constantly updated?		2		News – yes, other parts could not.
4.	Is the information on the FB page permanently updated?	3			Yes.
5.	Does the MoE actively communicate its activities and decisions to general public?	3			Yes, by own website and mass media, as well as the website of the CMU and other authorities of various levels, including the Regional State Administration. The use of FB by senior officials and the press service, the Aargus Center is important too.
6.	Is the language of this communication accessible to non-specialists?	3			Mainly, yes.
7.	Does the MoE actively communicate with various stakeholder groups?		2		With some – NGOs and Business. With others there is no strategy and/or system.
8.	Is information on the start of decision preparation available at an early stage?		2		Information becomes available to the public already in the form of a draft, which is published for consultation. The preparation of decisions for publication is often reported by the Minister and deputies at press conferences and public events.
9.	At this stage, does the environmental monitoring system and the procedure of centralized data collection provide up-to-date environmental information?			1	Fragmented.
10.	Does the collected data is being transformed into information for decision-making on a system basis?			1	Sporadic or irregular use of data analysis for decision making.
11.	Are the main UNECE environmental indicators currently being calculated? How many out of 42?			2	21 (17 – in 2018) https://eni-seis.eionet.europa.eu/east/countries/ukraine
12.	Is the content of reforms in the context of the implementation of the Association Agreement sufficiently communicated?			1	Was reduced during last 3 years, not enough.

13.	Is country actively cooperating with SEIS II / EEA to bring its information system in line with EU / UNECE requirements?		2		Until 2020, when the EEA project was finished, the cooperation was developing, first merge of data exchange system was made for selected area, 50% UNECE indicators started to be calculated. However, the output development, due to many turbulences, was rather slow.
14.	Is there a list of Working Groups and its contact persons for communication on the website of the MoE?			1	Was not updated since 2017 https://mepr.gov.ua/content/robochi-grupi-ta-komisii-minprirodi.html
15.	Is public procurement transparent?	3			Prozorro.
16.	Have other transparency assessments of MoE been carried out, and if so, what is the result?	3			From October 7 to 25, 2017, the Office of Effective Regulation analysed the work of 61 CECs for coverage of their activities, public information and disclosure of open databases. Research is conducted on a regular basis within the framework of a public dialogue aimed at to improve regulatory efficiency fields. According to the results of the study, the rating “Openness of the government” was compiled. The object of analysis was the official websites of institutions. Conceptual provisions of the legislation on public information, open data, resolutions of the CMU on ensuring public participation in the formation and implementation of state policy, as well as the procedure approved by the CMU for maintaining websites of state authorities and publishing information on the activities of executive authorities on the Internet are taken as a basis. According to the results of the study, the Ministry of Natural Resources received the first place with 71 points out of 77 possible.
17.	What is a degree to which the digitalization being progressed?		2.8		
	1) Is there sufficient legal base?		2		In the process, Digital transformation plan was developed end of 2020 (for each Ministry, 12 projects belong to the MoE), the Law “Paperless” (on digitalization of public services) was adopted mid 2021.
	2) Was the responsible senior official designated?	3			Ukraine established the Ministry of digital transformation in 2019, the Minister combine position of vice-PM. In 2020, Intergovernmental Council (at the senior level) was established with participation of MoE. In the MoE, Deputy Minister on digital transformation position was established. Current Minister occupied it before designation.

	3) Whether new public instruments being developed during last 5 years?	3			<p>On May 2022, MoE issued new app for smartphones and web-resource Ecothreat - the official web resource and mobile application of the Ministry of Environment, thanks to which everyone will be able to find out reliable information about the state of air, water, soil and other environmental data.</p> <p>In the application, on the interactive map of Ukraine, you can see:</p> <ol style="list-style-type: none"> 1. data from monitoring systems regarding air quality and the level of radiation pollution throughout Ukraine; 2. current facts of environmental threats caused by the Russian invaders. Ukrainians can also report all the facts of environmental crimes against the environment that they have witnessed. <p>https://ecozagroza.gov.ua</p>
	4) Is number of users growing?	3			Yes.
		3			<p>In October 2021, CMU approved Decree on Singular ecological platform “Ecosystem” - the state-wide ecological automated information and analytical system for providing access to environmental information and its network, which ensures the creation, collection, receipt, storage, use, distribution, guarding, protection of information, as well as electronic interaction between physical and legal entities, physical persons - entrepreneurs, by entities providing administrative services, entities providing public (electronic public) services, centres providing administrative services for the purpose of obtaining administrative and other public (electronic public) services in the field of environmental protection, which among other deals with systematisation and transformation into digital format of the environmental information to provide access for public. In the end of 2021, the access to up to 80 registers was opened via this platform.</p>
18.	Behaviour of civil servants, the atmosphere as a whole concerning transparency/ openness.		2		Was reduced on some directions, e.g. designation of NPP directors. New officials seems not being trained about Aarhus Convention, legislation and culture of transparency and public information provision, while human resources flow remains high.
Total score					39.4 points out of 54, 73.0%

III. Participation						
№	Indicator (Question)	Yes			No	Verification/ comments
		Exc	Adeq	Poor		
		(3)	(2)	(1)	(0)	
1.	Is the public participation in the preparation of strategic decisions on environmental matters ensured?			1.67		
	1) Policies, plans, programs, where the MoE is the main developer, including Comprehensive Governmental programs and policy documents (Strategies, action plans) requiring consent by other Ministries of the Cabinet concerned;		2			According to CMU Decree No. 996 On ensuring public participation in the formation and implementation of state policy, in the format of electronic consultations or open discussion. There is no public influence to the consent procedure, which sometime washes out an important content.
	2) Preparation of normative legal acts: draft laws, decrees and orders of the government, orders of the MoE;		2			Everything dependent from MoE is provided on satisfactory level. DKMU 996 does not oblige to discuss all decisions and acts, but generally describes the categories of decisions. Since the corresponding register has not been made public, it is difficult to say with certainty which part of them is submitted for discussion, however, among those that are made public, there is a reaction to the issues that resonate for society and the priorities of the current policy of the MoE. Unfortunately, open e-consultations arouse little interest, as can be seen from a few number of comments and participants, mostly a few unknowns. Many organizations do not use this mechanism and send proposals directly, however, information about this is not made public.
	3) Decisions on planned activities that may affect the environment (EIA procedure).	3				Legally provided, transparent with EIA registry, raising awareness by NGOs, EU Directive approximated.

	4) Decision on the appointment of heads of Nature Reserve Fund objects.				0	The MoE Order adopted in 2018 on correspondent procedure, which included representative of Public Council into the Competition Committee, was cancelled in 2020, as well as practice of public streaming of interviews of selected candidates before final stage.
	5) Is the public being informed about the results of taking into account or not taking into account the comments provided to the draft document/ decision at the level of the MoE?			1		Individually to those who provided comments. In the case of the preparation of the State Environmental Policy Strategy, yes. Reports on the results of the discussion with information about the inclusion or exclusion have not been made public during analysing period.
	6) Does the public have an influence on the decision of the MoE?		2			This is an ambiguous question, since the public is very diverse, however, CSOs that consistently work on a specific topic certainly have an impact. Public Council under the MoE, as well as coalitions and platforms, as collective bodies of CSOs do have an influence. Another question is whether there can be a maximum score here at all? Also, there is a lack of procedures.
2.	Is the participation of all stakeholders ensured?			1		NGOs and Business – yes. Others like women, youth, farmers etc. – no structured approach or dedicated efforts.
3.	Is public participation ensured at an early stage?		2			
	1) On policy: problem and causes analysis, the decision to formulate policy;			1		In the case of the preparation of the framework strategy, yes, the waste strategy, yes, the rest - differently, depending on the deadlines, which sometimes are unreasonably short. The readiness of MoE to switch to long-term procedure for the preparation of green book could also depend on whether TA project supports with resources.
	2) Regarding the types of activities;		2			Not long practice so far, but EIA legislation is providing.
	3) Is the annual public consultation plan published?	3				https://mepr.gov.ua/documents/3659.html
4.	Is public participation in monitoring and evaluation of the implementation of policies, plans and programs ensured?				0.83	

	1) Are there approved procedures?			1	Fragmented, Ad Hoc. For example, the Intergovernmental WG on SEIS implementation and environmental policy assessment was established in 2016 with CSO representatives. However, there is no framework for these activities at the regular basis.
	2) Is there a well-established practice / examples?			1	The implementation of SBS provided for a 3-year cycle of reporting on indicators of success, based on the results of the reports, decisions on tranches were made. Later, this practice was dissolved.
	3) Is this process transparent?			1	It was, currently there is no systematic activities.
	4) Does the public participate in the preparation of reports on the implementation of environmental policy?			0	Not being prepared at the systematic basis though required annually by the law on State Environmental Strategy (2019).
	5) Is there a permanent dialogue with public/ stakeholders on the implementation / effectiveness of environmental policy?			1	In environmental sectors, framework dialogue is poor, the permanent process is not organized.
	6) Does the public participate in the discussion of the report of the Ministry of Environment on the implementation of the annual action plan?			1	Regularly, but Public council withing the MoE only.
5.	Is there a shadow report(s) being published by civil society institutions/ civil society associations?	3			Yes, numerous. Examples below cover reports of Civil society platforms – EU-Ukraine USCSP and EaP CSF UNP. Besides thematic reports, there were regular monitoring and analytic reports covering all thematic areas, where environment and climate were the integral part. http://eap-csf.org.ua/project/dovkilna-ta-klimatychna-stijkist-skhp-rh3-unp-2021/ https://drive.google.com/file/d/oByGgNFTRLVjeDA2R2ZKbThKRDA/view?resourcekey=ognD10oU9O43pUsx4P6MLMQ https://www.civic-synergy.org.ua/wp-content/uploads/2018/04/Priorities-for-Developing-the-Association-with-the-EU_Expectations-of-Ukrainian-Civil-Society-Experts.pdf

					https://www.civic-synergy.org.ua/en/analytics/ukraine-s-implementation-of-20-eastern-partnership-deliverables-for-2020-2/ https://www.civic-synergy.org.ua/en/analytics/ukraine-in-the-coordinates-of-the-eastern-partnership-2017-2020/ https://www.civic-synergy.org.ua/wp-content/uploads/2018/04/Monitoring-ozelenennya-ekonomiky-pry-realizatsiyi-Ugody-pro-asotsiatsiyu-Ukrayina-YES.pdf https://www.civic-synergy.org.ua/en/analytics/fitness-sheck-of-the-birds-and-habitats-directives-lessons-for-ukraine/
6.	Is the Ministry of Environment actively cooperating with CSOs and its platforms/ coalitions (National platform of the EaP CSF, AA CS Platform, Public Council, other);		2		From 3 to 1 during last 5 years. Though CS representatives are participating in event and discussions on various issues, their opinion is more often not taken into the account.
7.	How significant is the role of CSOs and its coalitions in the decision-making on environmental and climate reforms implementation?	3			It is prominent. The potential of CS in contribution to the reforms is best being implemented with support of TA projects as it was the case with preparation on main Strategic documents on Environmental policy and Climate adaptation and environmental security, as well as Civil synergy project, which supported monitoring and assessment activities of both CS Platforms. However, the latest example also proved the role of CS, which took very active part in WGs of the National Council for the Recovery of Ukraine from the War, which prepared draft National plan of recovery. EcoCSOs took part in numerous WGs including Agriculture, Economy, etc. The result of Environmental safety WG https://www.kmu.gov.ua/storage/app/sites/1/recoveryrada/eng/ecosafety-eng.pdf
8.	Behaviour		2		Though CS representatives are participating in event and discussions on various issues, their opinion is more often not taken into the account.
Total score					15.5 points out of 24, 64.6%

IV. Accountability						
№	Indicator (Question)	Yes			No	Verification/ comments
		Exc	Adeq	Poor		
		(3)	(2)	(1)	(0)	
1.	Does the MoE explain what and why it is doing?	3				Brief information about the ministry's mission, strategy, priorities and areas of activity is available on the ministry's website (https://mepr.gov.ua/). The MoE publishes information about its activities in the "News" subsection of the ministry's website (https://mepr.gov.ua/timeline/Novini.html), as well as in its social networks (in particular, Facebook, Telegram).
2.	Is the structure and functionality of the MoE clear today, in particular, regarding strategic planning?	3				The MoE's structure is available on the ministry's website (https://mepr.gov.ua/content/struktura.html). The MoE has a structural division responsible for strategic planning - the Department of Strategic Planning and International Cooperation (which includes the Division of Environmental Strategy Development). There are structural subdivisions of departments in certain areas of environmental policy (for example, the Climate Policy Development Division, the Water Policy Division, the Radioactive Waste Management Policy Development Division). The functions and duties of the MoE are defined by the laws of Ukraine and specified in the Regulations on the MoE, approved by the Resolution of the CMU of June 25, 2020 No. 614, https://zakon.rada.gov.ua/laws/show/614-2020-%D0%BF#Text .
3.	Does the reporting of the MoE comply with the principle of accountability? (evaluation and feed-back)			1		The MoE annually publishes work plans ("Plans" subsection of the webpage, https://mepr.gov.ua/timeline/Plani.html) and reports on the implementation of the plan by the MoE for the relevant year ("Reports" subsection of the webpage, https://mepr.gov.ua/timeline/Zviti.html).

					<p>This reporting format does not provide an opportunity to follow up on evaluation and feedback issues.</p> <p>The practice of public presentation and discussion by the MoE is not a general rule. As a exception, for example, such a presentation was held in February 2020 (https://mepr.gov.ua/news/34642.html). The major problem is that MoE doesn't prepare regular reports on the environmental policy implementation as it is required by the legislation.</p>
4.	Types of reporting and systematization			1.25	
	1) Does the MoE issue regular report on Environmental policy assessment, including achieving Environmental policy targets?			1	<p>The Law of Ukraine on the Environmental Strategy of Ukraine until 2030 (2019) requires the MoE to annually prepare and publish a report on the implementation of the Environmental policy of Ukraine. Such reports were not issued.</p> <p>In 2021, with the support of the OECD, a preliminary analysis of the state of implementation of the indicators of the Environmental Strategy until 2030 was carried out.</p> <p>In 2016, the MoE prepared the National Report on the implementation of national environmental policy (for the implementation of the previous Environmental Strategy until 2020). http://dea.edu.ua/img/source/Doc/ecopol.pdf</p> <p>Specific issues of environmental policy implementation are covered in the National reports on the state of the natural environment in Ukraine, but they are fragmentary and do not include an assessment of implementation.</p>
	2) Does the MoE issue regular report on environmental budget revenues and expenditures?			1	<p>The MoE does not issues an separate (stand-alone) report that would summarize information on environmental budget revenues and expenditures. Even the MoE not issues an simple information on them. The MoE issues some information (mainly about the financing of the environmental sector, collected fines, damages etc.) in the National Report on the state of the environment in Ukraine.</p> <p>The MoE publishes annually reports on the implementation of passports of budget programs in the relevant year and information on the use of funds (subsection "Budget" of the web page, https://mepr.gov.ua/timeline/Byudzhet.html).</p>

	3) Does the MoE issue regular report on State of Environment?		2		The MoE is obliged to annually issue national reports on the state of the environment in Ukraine. The latest report was issued for 2020. But these reports are not issued for all years, as well as they are issued late. The MoE also issued monthly and quarterly analytical briefs/studies/informations on the state of the environment in oblast regions (the “Reports” subsection of the website, https://mepr.gov.ua/timeline/Zviti.html).
	4) Is the reporting system clear and understandable for public?			1	The requirements for the ministry’s reporting are defined in numerous laws and regulations, which makes it difficult for the public to understand. Explanatory materials (information) about the reporting system are missing, in particular regarding types of reporting, responsible persons in the MoE, content of reporting, reporting periods, time of publication of reports, etc.
5.	Are the reports accessible for public?			2	A separate subsection of the website was created, which contains national and regional reports on the state of the environment (subsection “Reports on the state of the environment” of the website, https://mepr.gov.ua/timeline/Dopovidi-pro-stan-dovkillya-ta-ekologichni-pasporti.html). The various types of reporting are posted on the MoE’s website, but there is no system that would allow to automatically search for reports by type. Therefore, such search must be carried out in “manual mode”.
6.	Is there return connection/ public discussion of the report’s findings?			1	The MoE discussed the structure of national reports on the state of the environment. For example, reports for 2020 (https://mepr.gov.ua/news/37250.html), 2019 (https://mepr.gov.ua/news/36314.html). A broad discussion of such reports and their conclusions is not carried out. It is not the rule that broad public discussions of draft reports are taken place. Exceptions are reports within the framework of international reporting, for example, public consultations were held regarding the draft of the National Report on the Implementation of the Aarhus Convention for 2017-2020 (https://mepr.gov.ua/news/37886.html).

7.	Is there procedure for submitting comments/ suggestions to reports and mechanism of its consideration and communication concerning taking into account/ not taking into account?		2		<p>The legislation of Ukraine does not establish special requirements for mandatory participation and public discussion of draft national reports. General requirements for public consultation procedures are established. These general procedures were used for public consultation on draft reports. The MoE is obliged to consider all comments/suggestions and inform about their consideration/non-consideration.</p> <p>The MoE has a separate subsection on its website dedicated to conducting public consultations (subsection “Public Consultation” of the website, https://mepr.gov.ua/timeline/Konsultacii-z-gromadskistyuu.html). There were also sporadic consultations on ministerial reports. However, there is no information about the MoE’s consideration of the public comments.</p>
8.	Does Ministry of Finance include into regular reports full information on environmental revenues, its distributions and expenditures?		2		<p>Information is issued in the annual statistical collections on the budget of Ukraine (subsection “Statistical Collection” of the MF’s website, https://mof.gov.ua/uk/statistichnij-zbirnik), as well as the Ministry of Finance issues annual reports on the implementation of the State Budget of Ukraine (subsection “State Budget” of the MF’s website, https://mof.gov.ua/uk/state-budget).</p> <p>The information contains data on environmental revenues, expenditures and their distribution by type of budget, by economic budget classification. However, there is no information on how environmental revenues are distributed, whether they are allocated to environmental expenditures. Such an option is not stipulated by national legislation, as well as the fact that environmental revenues go to the general budget. In addition, the issue of reforming environmental revenues, expanding its types and bringing it to European standards, is now under consideration.</p>
9.	Behaviour		2		<p>The MoE disseminates information about its activities using both its own website and the capabilities of social networks. Such information has the format of news, which cannot reflect the comprehensive informing and reporting on the MoE’s activities as a whole in the environment field or in specific environmental areas. Informing of MoE on the preparation and publication of reports requires improvement (for</p>

					<p>example, regarding the reports on the state of the environment in terms of content, timeliness of disclosure, etc.) and strengthening (in particular, systematic preparation and issue of reports on implementation, assessment of the state environmental policy, reports on environmental revenues and expenditures).</p> <p>The MoE consults with the public on environmental issues, but mainly (except in special cases, such as consultations on the formation of the Environmental Strategy until 2030, NDC-2, the Climate Adaptation Strategy until 2035) such consultations are held on draft regulations in the environmental sphere.</p>
Total score					17.3 points out of 27, 64.1%

V. Effectiveness						
№	Indicator (Question)	Yes			No	Verification/ comments
		Exc	Adeq	Poor		
		(3)	(2)	(1)	(0)	
A.	Policy					
1.	Is environmental and climate policy effective?			1.3		
	1) Does environmental policy contain measurable objectives and time-table?	3				
	a) framework strategy/ national environmental action plan	3				<p>The Strategy of State Environmental Policy of Ukraine till 2030 contains a list of indicators (30) of the environmental policy assessment, which provides for concrete target values for the years 2020, 2025, 2030. The National Action Plan for the Strategy implementation till 2025 adopted</p>

			0		on April 21, 2021 provides the concrete measures, timetable, responsible authority, as well as indicator of implementation. The measures are grouped according to the five main goals of the Strategy, namely development of environmental values and principles of sustainable consumption and production in society; ensuring the sustainable development of Ukraine's natural resource potential; ensuring the integration of environmental policy into the decision-making process regarding the socio-economic development of Ukraine; reduction of environmental risks in order to minimize their impact on ecosystems, socio-economic development and public health; improvement and development of the state system of nature protection management.
	b) environmental sectors strategies/ national environmental action plans		3		The recently adopted strategies and action plans mostly contain the measurable indicators. For example, the State Strategy on Forest Management of Ukraine till 2035 and the Action Plan for its implementation provides the timetable, and a number of concrete measurable targets (for example, increasing the forest coverage of the country to no less than 18 percent; increasing the total stock of forests in Ukraine to no less than 2.5 billion cubic meters. meters; increasing the level of absorption of greenhouse gases by the forests of Ukraine to 75.6 million tons of CO2-equivalent). The Strategy on Environmental Security and Adaptation to the Climate Change till 2030 and the Operational Plan for its implementation for 2022-2024 provides for the timetable, but a few measurable indicators relates only to the state of environment, not to the adaptation to the climate change.
	2) Is policy formulation preceded by an evaluation of the effectiveness of previous policies?			1	Mostly not in the form of the separate document or the process. The recently adopted strategies or action plans contain the description of the current situation, including some trends and challenges, but without any specific methodology or assessment of the implementation of the policy in the previous period. Another issue is that a number of strategies being adopted are new and they don't replace the previously existing ones. As an exception, we can mention the State Strategy for Regional Development until 2020, as the reports on monitoring of the implementation of the strategy are prepared every year, and they were used as basis for the preparation of the new strategy.

3) Whether policy adopted contains concrete quantified targets?		2		Depending on the policy document. Recently, we have observed a tendency to include specific target indicators into strategic documents.
4) If yes, is regular report (s) containing an analysis of achieving these targets?			1	The National Report on the State of Environment of Ukraine in 2020 doesn't contain analysis of achieving quantified targets set in the strategic document, including the Strategy of the State Environmental Policy till 2030. Nevertheless, the first independent analysis of the achievement of the Strategy's indicators was presented in the report " Towards green transformation of Ukraine: State of Play in 2021 " (the second part "Monitoring implementation of the national environmental policy of Ukraine" is an attempt to carry pilot monitoring of the implementation of the Law of Ukraine "On Main Foundations (Strategy) of the State Environmental Policy of Ukraine for the Period till 2030"), prepared by the Resource and Analysis Center "Society and Environment" within the EU4Environment project.
5) Is there enough time to find out all the possible consequences / results of the policy that are planned and taking into account suggestions and comments from stakeholders?			1	During the preparation of the pilot monitoring of the implementation of the Strategy of State Environmental Policy of Ukraine, the special web-page for consultation was created and all suggestions and comments were taken into account. Unfortunately, it is not usual practice for the Ministry to consult for the preparation of its reports.
6) Are the environmental and climate impacts of policy implementation being assessed at the planning stage?		2		
a) for environmental/ climate policy documents,		2		Depending on the document.
b) for other policies document.		2		Through the SEA procedure. But not all documents that have to go through the procedure go through it. For example, there was no SEA for the Action Plan on Implementation of the Transport Strategy of Ukraine, adopted on April 2021. Nevertheless, the SEA for the Roadmap of the production and use of the hydrogen in Ukraine is under development.
7) Is the economic impact of policy / instrument implementation assessed?				0

	8) Is the implementation of the state environmental policy monitored on the ground?			1		Partially, within the monitoring of the strategies of regional development of the regions of Ukraine.
	9) Does the environmental data collection and processing system provide information for decision making?			1		Partially, for example in the water sector. The last good example was preparation of the Second NDC of Ukraine using the data for modeling report .
	10) Is the implementation of state environmental policy ensured at the regional and local levels?			1		Partially, through the regional development strategies, decentralization process, and special role of cities (for example, participation in the Convent of Mayors initiatives).
B.	Financing					
2.	Is financial management of state environmental and climate funds efficient?			1		
	1) Is the amount of fees for nature use, pollution and fines sufficient to influence the environmental behavior of the polluter / user?			1		Generally no. The environmental tax, including rent, is playing rather fiscal than environmental incentive role. Source: https://www.eu4environment.org/uk/towards-green-transformation-of-ukraine-state-of-play-in-2021/ , page 65.
	2) Is most of the revenue from environmental payments being used for environmental purposes?				0	Clearly no. In 2018 2,7 billion UAH of revenues versus 0,5 billion of UAH of expenses, source: http://www.economy.nayka.com.ua/pdf/3_2020/74.pdf
	3) Is overall environmental budget sufficient to cover policy implementation?			1		There is no general source to substantiate the answer. It is our expert opinion that significant financial gaps exist, for example to introduce EU-complain systems of air and water monitoring. Most policy related activities are funded by EU or other ODA projects.
	4) Are environmental budgets (State, locals) being used exclusively for environmental purposes?				0	No. The list of activities which may be funded allows to use the funds for non-environmental purposes and NGOs report this is a problem in practice. See http://epl.org.ua/wp-content/uploads/2018/11/Analitdoc_EcoFondu_Net.pdf
	5) Is targeted spending being controlled?	3				Strictly speaking – yes. Budgetary spendings are subject to several control procedures, including by the Accounting Chamber, State Auditing Service.

	5) Is targeted spending being controlled?				o	Strictly speaking – yes. Budgetary spendings are subject to several control procedures, including by the Accounting Chamber, State Auditing Service.
	6) Is there special environment and climate fund existed as legal entity?				o	No such fund exists.
	7) Are there cases of successful foreign investments into ‘greening infrastructure’ projects detected?		2			Many such cases, especially at city level. Relevant investments are usually done by IFIs: EBRD, EIB, WB, etc. They include green city transport, lighting, landfill biogas production, etc.
3.	Whether Association Agreement environmental reforms of environmental policy and legislation progressing? (thematic strategy + framework law/ implementing directive law + underlaw regulation are adopted for each thematic direction of work)			1.5		According to the special online monitoring tool (Pulse of the Association Agreement) as of July 2022, overall progress of the implementation of the environmental acquis is 64%, source: https://pulse.kmu.gov.ua/ua/streams/environment
	1) Climate change		2			Two legislative reforms were introduced so far: MRV legislation and ozone-depleting substances . New NDC was adopted, as well as the Strategy on Environmental Security and Adaption to the Climate Change . However, the major reform is far from inception stage (ETS implementation).
	2) Environmental governance and horizontals, including Environmental Impact Assessment, Strategic Environmental Assessment, information and public participation?	3				Horizontal reforms were introduced via special laws on EIA (2017) and on SEA (2018), as well as relevant secondary legislation.
	3) Air quality			1		For some issues (VOC in organic paints , fuel quality) is quite advanced. In other areas, including air monitoring and quality, is basically at initial stage.

4) Water quality and Integrated Water Resources Management		2		Probably the most advanced reform, in particular on river basin management and water monitoring. The Law of Ukraine “About making changes to some legislative acts of Ukraine regarding the implementation of integrated approaches in management water resources according to the basin principle” dated October 4, 2016 No. 1641-VIII. A number of important by-laws have been adopted for the transition to the basin principle of water resources management, new monitoring state of water resources. Drinking water reform remains on paper.
				Directive 98/83/EC was implemented through the adoption of the Law of Ukraine “On Amending the Law of Ukraine “On drinking water and drinking water supply” dated May 18, 2017 No. 2047-VIII. However, by order of the Ministry of Health dated 12.24.2019 No. 2675, the entry into force of certain requirements for the quality of drinking water was postponed until 2022. Marine protection reform is at initial stage: the Maritime Strategy of Ukraine was adopted in October 2021, but there is a need for further legislation development and adoption.
5) Waste and resources management			1	The framework law on waste management was adopted in 2022. It still remains to be assessed as to compliance with the EU legislation. Other waste streams – no progress.
6) Nature protection, including forests			0	No implementation of nature directives (bird and habitats directives).
7) Industrial pollution and hazards			1	In 2019 the Concept of implementation of state policy in the field of industrial pollution. The Law of Ukraine on prevention, reduction and control over industrial pollution is not adopted yet. Regarding Seveso framework – Ukraine’s system was already quite advanced and was further improved. The National emission reduction plan of major pollutants from large combustion plants was approved by order of the Cabinet of Ministers of Ukraine dated November 8, 2017. But later CMU for several times made changes, which essentially delayed the implementation measures.
8) Chemicals				N/a.
9) GMOs		2		As such, GMO regulation was already advanced. No further progress made in line with relevant directives and a regulation.

	10) Noise pollution					N/a.
	11) Urban environment					N/a.
	12) Environmental fees					N/a.
4.	Whether Association Agreement (framework) implementing documents (action plan, mid-term strategy, road-map) were adopted?	3				Yes, there's a general plan of measures for the Association Agreement implementation and a monitoring tool (Pulse of the Agreement), see https://pulse.kmu.gov.ua/ua/streams/environment
C.	Institutions					
5.	Are environmental institutions effective?			1.2		
	1) Does country have a singular dedicated MoE in the Government?		2			As to the July 2022 – yes. In 2019 the Ministry of Energy and Ministry of Environment were merged into one state body, but in 2020 the ministry was separated again into two independent ministries. Nevertheless, the Government now has a plan to merge these ministries again.
	2) Is overall staff enough in quantity to cover functions according regulation?		2			According to data as of June 1, 2022, the Ministry of Environment has 308 employees. They are divided into departments in order to cover all functions provided in the regulation. Nevertheless, the need to institutional capacity building doesn't allow to put the highest rate.
	3) What share of staff is dealing with strategic planning and reporting?		2			The Department of strategic planning and international cooperation has 20 employees (6,4%), but the section on development of environmental strategy counts only for 4 persons. Nevertheless, other departments also have employees which are responsible for strategic planning in concrete policy sector, for example climate policy, water policy, etc.
	4) What share of staff is dealing with information management and communication?		2			The Section on Public Communications has 5 employees (1,6%).
	5) What share of staff is dealing with public involvement and feed-back?			1		The Section on citizen appeals and access to public information has 4 employees.
	6) Are there separation of policy planning, policy implementation and control/ enforcement functions among state environmental institutions?			1		Partially. As to the control functions only.

7) Are there separation of administrative, service and economic functions within institutions?			1		In many areas there is little separation of administrative, service and/or economic functions: forests use, water use and protection, protected areas.
8) Is there dedicated enforcement and control governmental body (inspectorate)?	3				State Environmental Inspectorate (https://www.dei.gov.ua/). It's territorial structure is subject to reforming.
9) Is there body with clear responsibility for the environmental monitoring?				0	Environmental monitoring system is complex, with duplicating functions and a number of institutions carrying out monitoring in specific areas (water, air, etc). Source https://mepr.gov.ua/content/ekologichny-monitoring-dovkillya.html
10) Is environmental monitoring system functioning properly?			1		Air monitoring is practically absent (outdated, malfunctioning). Surface water monitoring is being systemically updated and modernized, new labs and procedures introduced, data are publicly available (http://monitoring.davr.gov.ua/EcoWaterMon/GDKMap/Index). There is practically no biodiversity monitoring and soil monitoring.
11) Does it provide real-time data for the accounting?				0	With a few minor exceptions (including radiation monitoring) no real time data are available.
12) Is the function of environmental data analysis for decision-making being permanently performed for all types of environmental surveillance?			1		In some areas – yes (such as hydrological regime planning, flood preventing planning or river basin management plans). Otherwise, sporadic or irregular use of data analysis for decision-making purposes.
13) Is there clear plan of administrative reform in environmental sector prepared?				0	No. Every government has its own plan. It is expected that the MoE and the Ministry of Energy might be merged again in 2022.
14) Is it prescribed in the Association Agreement/ Framework strategy/ other documents?				0	No.
15) Are there active involvement by MoE and local authorities of different stakeholders into the decision-making process?		2			In principle – yes. Public consultations are part of general framework for decision-making (not only environmental). For example, any draft regulatory act is subject to public consultations on the basis of relevant law . Similarly, spatial planning is subject to strict public participation requirements under Urban Development Activities law.

	a) State level		2		See above.	
	b) Local level		2		See above.	
6.	Are there visible progress in performance in such areas as:				0.71	
	1) Climate change			1	In the period 2010-2018, the carbon productivity of the economy increased by 36% and had a steady upward trend, which increased in the period 2014-2018, reducing gas consumption in the households played a significant role (source: Towards green transformation of Ukraine: State of Play in 2021 , OECD (2021)). Several mechanisms work in practice (MRV, ODS). Updated ambitious NDC was approved in 2021. However, no economic instruments are in place: carbon tax plays a fiscal role, ETS is far from being introduced.	
	2) Environmental governance and horizontals			1.5		
	a) Whether the application of Strategic Environmental Assessment prevents the adoption of environmentally hazardous policies?			1	The SEA is widespread, but no systemic and coherent. In spatial planning, SEA reports are formalistic and do not usually have any impact on the decision-making. Sectoral document are often adopted without any SEA. There's no coherent review of SEA application in Ukraine or access to unified data. Hundreds of different decision-makers are in charge of SEA application, including village, city, rayon councils, ministries, etc. Public participation has systemic deficiencies due to legal inconsistency of the "public" definition with the SEA directive.	
	b) Whether the application of Environmental Impact Assessment prevents the implementation of environmentally hazardous projects?		2		EIA application is systemic and rather coherent. However, the wide scope of EIA application makes the whole system weak and formalistic. The administrative capacity is not sufficient to deal with such number of EIA cases. There's no integration of EIA into land use decision-making which makes geographical alternatives practically unavailable. The EIA register allows for quick up-to date access to most information related to EIA procedure.	
	3) Air quality				0	Air monitoring and quality management system is either weak, or absent. Huge investments are needed into air monitoring infrastructure.
	4) Water quality and Integrated Water Resources Management		2			

	a) Whether the Basin councils are established?	3			Yes, all river basic councils were established.
	b) Whether they could make their own decision not governed from the centre?			1	While formally they are not subordinate to central government, RBCs have indirect impact on real water management, which is carried out by regional water authorities. The role of the Water Agency remains crucial in the decision-making process.
	5) Waste and resources management			1	Except for plastic single use waste, no real practical progress is visible in waste area.
	6) Nature protection			0	No significant progress. Several legislative amendments introduced cover tiny issues in nature protection. No birds/habitats directive implementation.
	7) Industrial pollution and hazards			1	Regarding industrial pollution – no significant practical progress. Regarding hazards and accidents – the system is rather effective and continues to be modernized in line with Seveso requirements.
	8) Chemicals			1	Action plan for chemicals safety concept implementation seems to be the only progress in this field in the recent years.
	9) GMOs			1	The GMO control system is in line with international obligations but a new framework is being developed to fully align with EU acquis. The practical implementation is still limited.
	10) Noise pollution			0	No progress.
	11) Urban environment			0	No progress.
	12) Environmental fees			0	Environmental taxes and fees play a fiscal role. Revenues from environmental payments and taxes, despite the actual increase during 2014-2020, reduced their share in the consolidated budget. Ukraine continues to provide substantial subsidies for fossil fuels. Source: Towards green transformation of Ukraine: State of Play in 2021 , OECD (2021).
7.	Behaviour		2		The officials understand the importance of the process of the implementation of the EU acquis, but they still lack necessary knowledge and skill how make the process effective.
Total score					10.7 points out of 21, 51.0%

VI. Coherence						
№	Indicator (Question)	Yes			No	Verification/ comments
		Exc	Adeq	Poor		
		(3)	(2)	(1)		
A.	Environmental and climate policy integration					
1.	Transparency			1.71		
	1) could you obtain the information concerning environmental and climate aspects of the sectoral policy from sectoral ministries (energy, transport, agriculture, industry, tourism) without taking the rout back to the MoE?		2			Law of Ukraine “On access to Public Information”; Cabinet of Ministries Decree №547 of 25.05.2011. approved the approximate form of the request for information and the approximate procedure for preparing and submitting requests for information, it is specified and reflected at web-pages of main sectoral ministries (for example, Ministry of Infrastructure https://mtu.gov.ua/en/content/publicna-informaciya.html), but only Energy ministry specifically mentioned the environmental information in their procedures ²⁶ , while Regulations on different sectoral ministries no or indirectly contain issues of concern (like lands protection in Ministry of Agriculture). Sectoral strategies, especially recently adopted, contain environmental and climate motions. Recently adopted Strategy of Environmental security and adaptation to climate change until 2030 and its implementation plan until 2024 (October 2021) put the responsibility for environmental and climate activities within their sectors to different ministries of the Cabinet. Law on Strategic Environmental Assessment also indicates that sectoral ministries should possess profiled environmental and climate information. Officially, MoE remains the main administrator of the environmental and climate information. Practically, reforms require from sectoral ministries to possess the sectoral part of it too. Legally, it needs more clarification. Yet, the practice needs to be tested.

²⁶ http://mpe.kmu.gov.ua/minugol/control/publish/article?art_id=244895834

2) does the Parliamentarian web-site and the Parliamentary environmental policy committee provides public access to its decisions/ draft laws?	3				Yes, the example of Environmental policy committee regular meeting's results: http://komekolog.rada.gov.ua/news/main_news/75755.html The list of draft environmental laws, which are currently being considered by the Committee: http://w1.c1.rada.gov.ua/pls/zweb2/webproc6_current_main?id=&pido69=231
3) does the public access is being provided to draft decisions of President on environmental matters?		2			The access of President's administration is provided to already adopted decrees and regulations at the PU web-site https://www.president.gov.ua/documents/decrees . However, thematic draft decrees are being drafted, published at their web-sites and discussed by different Governmental bodies according its competences, for example, draft President's decrees on establishment of National Natural Parks are being prepared by MoE and endorsed by the Cabinet of Ministers of Ukraine (https://www.kmu.gov.ua/news/uryad-pogodiv-stvorennyna-cherkashchini-nacionalnogo-prirodnogo-parku-holodnij-yar), then being passed to the President of Ukraine for approval.
4) whether regional environmental authorities follow legal requirements on public access to environmental information?			1		Many Regional state administration's (RSA) environmental divisions have their own web-sites with sufficient reflection of access to public information with dedicated instructions, legal requirements, data sets and different types of information. Some RSAs don't, demonstrating pure information and no assistance on how the environmental information of different categories could be obtained. Local administrations mainly do not provide such information or don't have web-sites yet.
5) do they have web-sites (environmental divisions of state regional bodies)?		2			The majority does.
6) is it regularly updated with environmental information? (is it regulated by the national law?)			1		Depending of the administration.
7) if not, whether environmental information from regions accessible from the MoE web-site?				-	
8) if yes, is it of sufficient quality?			1		


²⁶ http://mpe.kmu.gov.ua/minugol/control/publish/article?art_id=244895834

2.	Participation			1.17		
	1) Does MoE consult with CSOs in preparation of an official position for Multilateral Environmental Agreements Meetings of the Parties, Conferences of the Parties, other international Foras;			1		Irregular, selective, mainly not.
	2) is public participation on environment and climate matters ensured by other sectors Ministries in preparation of their strategic policy documents?			1		According Strategic Environmental Assessment procedure, yes, however, often without feed-back and limited procedure (of course, also taking into account COVID-19 quarantine). Example of call for public consultation on Strategic Environmental Assessment report to draft Strategy of internal water ways transport development (Ministry of Infrastructure): https://mtu.gov.ua/news/33077.html
	3) are environmental draft laws on Association Agreement implementation easily gather quorum for voting in the Parliament?			1		No, all principal draft laws are getting much troubles to vote in quorum, such as Waste management or Inspectorate reform or Industrial pollution prevention and control.
	4) whether CSOs involved into the preparation of environmentally important draft decrees of the President?		2			Yes, via MoE.
	5) whether regional environmental departments ensure public participation in the decision making?			1		Mainly on regional environmental strategies preparation, where it is existed, some project's competition initiatives, etc.
	6) whether CSOs play significant role in the decision making at the local level?			1		Not much, especially on budget spending. Better in big cities.
3.	Accountability			0.8		
	1) Evaluation			1		
	a) does MoE report to civil society on participation in int. negotiations after return?			1		Rarely, if yes, in format of news at the web-sites.
	b) does profiled Parliamentarian committee report publicly and regularly on its activities?	3				Yes. Example of regular report http://komekolog.rada.gov.ua/uploads/documents/37011.pdf

	c) does President's office do it?			0	No.
	d) whether sectoral ministries do it, e.g. for the climate or other?			0	No.
	e) what about regional authorities?		1		In the framework of Regional development strategy implementation and projects of Regional agencies, by region.
	2) Feed-back		0.6		
	a) whether sectoral ministries explain to public their decisions, which have a significant impact on environment and/ or climate?		1		Rarely, selective.
	b) do they provide a feed-back to comments?			0	No.
	c) whether profile committee of the Parliament does?		1		Not publicly.
	d) is such practice existed for the Office of the President?			0	No.
	e) are regional and/ or local departments provide a feed-backs?		1		Some, depending on the department.
4.	Effectiveness			0.97	
	1) Policy		1.6		
	a) Is there progress observed in the environmental policy integration into policies of other sectors?	2			Yes, recently adopted National Economic strategy till 2030, State Regional development strategy till 2027, Environmental security and adaptation to climate change strategy till 2030.
	b) Is the EU Green Deal reflected in official decisions and/ or action plans?	2			Yes, both at the level of official statement by the national authorities, and at the level of strategic and planning documents (for example, National Economy Strategy till 2030, Action Plan of the Government for 2021, etc.).
	c) Is there an improvement in environment and climate integration into regional development policy?	2			Yes, currently at the level of adopted State regional development strategy till 2027, also due to Regional development agencies activities, but still long way forward to implement.
	d) Whether the environmental and climate plans/ strategy started to be prepared at the local level?		1		Depending on the city, mostly within the Mayor Convent initiative, so called SECAPs (Sustainable Energy and Climate Action Plan).

	e) Overall, does environmental sector play a significant role in decision making on economic matters?			1		Getting better, also due to green deal and carbon pricing in trade with the EU. The EU plans to introduce CBAM have an impact on Ukrainian business sector, so they started to consider climate considerations in their activity and analyze the possible CBAM impact.
	2) Institutions				0.33	
	a) Does MoE have vertical Departments in regions?				0	No
	b) If not, how the coordination on implementing the State environmental policy being ensured?			1		Not very good coordination. Mostly with support to MoE technical assistance projects. Mostly in regards of sectoral coordination (nature reserves, water).
	c) does profiled Parliamentarian committee conduct regular evaluation of its work against environmental policy targets and objectives achievement?				0	No quality analysis, even of Association Agreement priorities, regular reports contain mainly lists of draft environmental laws considered and adopted, meetings, proposals to other draft laws, etc.
5.	International agreements and leadership		2			
	1) Is participation in multilateral environmental agreements effective?		2			Depending on the environmental agreement.
	2) Are implementation reports timely and open for access?			1		Depending on the convention.
	3) Whether global obligations on environment and climate being implemented?		2			The climate change area is a good example. In 2021 Ukraine approved the second ambitious NDC to the Paris convention and is very active in its implementation (development of new legislation and plans (including financial) of the NDC implementation.
	4) Were Sustainable Development Goals adopted by the country?	3				Yes, by the President's Decree of 2019.
	5) Whether EaP new policy and environmental targets are supported actively?		2			As a tool supporting reforms.

	6) Does country demonstrate green leadership at the international foras/ negotiations?		2		Some, for example Ukraine's presidency in the Energy Community and EU Strategy for the Danube region.
6.	Reflecting the opinion of different stakeholders			1.25	
	1) Whether the environmental policies developed and adopted take into account the gender perspective?			1	Nexus gender – environment is not well developed yet, also gender/ woman groups are not much active in advocating their interests within environmental agenda.
	2) Whether the environmental policies developed and adopted take into account the special role of the youth?			1	The same.
	3) Whether the environmental policies developed and adopted consider/ take into account the position of other major social groups (e.g. science, farmers, trade unions, local authorities, business and industry, indigenous people)?			2	The stakeholder involvement process is not well-structured yet, also some groups (t.g. farmers, indigenous people) are themselves not very active and/or conscious on their environmental priorities and rights, while NGOs and science are actively involved; business and industry are permanent lobbyist.
	4) Is there a structured process in regards of their involvement to development and implementation of the environmental and climate policies?			1	Also see above.
7.	Behaviour			2	In general, all institutions and levels of power demonstrate one way or another the understanding of coherence importance, but the decentralization reform made it more difficult to implement. However, local authorities independence caused new opportunities for horizontal international cooperation with EU and USA etc countries, what helps from abroad to develop environmental and climate agenda at the local and regional levels. AA and international cooperation on its implementation is another unifying framework, which influence the behaviour. Also, technical assistance projects, international organizations, regional development agencies, CSOs and their platforms.
Total score					9.9 points out of 21, 47.1%



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2022**