

life renata

Roadmap for the alignment of EMERALD network establishment and management to NATURA 2000 sTAndards in Moldova

D2.1

Institutional and Legislative baseline findings and recommendations in order to establish and improve the management of Emerald sites in Moldova

WP2 Lead Beneficiary: EcoContact

Responsible Partner: ICAS



Co-funded by
the European Union



Funded by the European Union. Views and opinions expressed are however those of the author(s) only and do not necessarily reflect those of the European Union or European Climate, Infrastructure and Environment Executive Agency (CINEA). Neither the European Union nor the granting authority can be held responsible for them.

Project No.	101148675
Project Acronym	LIFE23-PRE-EL-LIFE RENATA
Project Title	Roadmap for the alignment of EMERALD network establishment and management to NATURA 2000 sTAndards in Moldova
Programme	LIFE2027
Type of action	LIFE-PJG
Call Topic	LIFE-2023-PLP-NAT-ENV
Start – ending date Project Duration	01 February 2024 – 31 January 2026 24 months
Project Coordinator	LEVER, 26th Oktovriou 43, Thessaloniki, 54627, Greece, eu@lever.gr/ +302310552113
Deliverable Title	D2.1 Institutional and Legislative baseline findings and recommendations in order to establish and improve the management of Emerald sites in Moldova
Delivery Date	10/07/2025
Responsible Partner	ICAS MD
Principal Author(s)	Natalia Guranda; Maria Lapteanu; Anna Cazacu; Irina Punga (EcoContact) Apostolos Karteris and Stefanos Ispikoudis (kartECO)
Contributors	ICAS MD: Ion Talmaci, Dumitru Galupa, Liliana Spitoc, Daria Vedutenko, Ghenadie Cojocaru, Naxim Rotari EKBY GR: Vasiliki Chrysopolitou EcoContact MD: Ion Marin

SUGGESTED CITATION: Guranda N., Lapteanu M., Cazacu A., Punga I, Karteris A., Ispikoudis S.,, 2025. Institutional and legislative baseline findings and recommendations in order to establish and improve the management of Emerald sites in Moldova. Deliverable/Milestone D2.1. LIFE RENATA: Roadmap for the alignment of EMERALD network establishment and management to NATURA 2000 sTAndards in Moldova, [83 pages], Chisinau, Thessaloniki.

<i>History of Document Changes</i>		
Date	Changes	Version
28.12.2024	Content development	V0.1
09.01.2025	1 st Draft	V0.2
14.02.2025	2 nd Draft	V0.3
31.03.2025	3 rd Draft	V0.4
05.05.2025	4 th Draft	V0.5
10.07.2025	Final review from EcoContact - Final version	V1.0

Table of Contents

Abbreviations	4
Summary	5
1. Introduction	8
1.1. Goals and objectives	8
1.2. Method followed	9
1.3. Output results	10
1.4. Comments – Issues – Challenges	10
2. International Treaties, Conventions, and Agreements on Biodiversity and Protected Areas: Moldova’s Commitments	12
3. National Legal and Policy Framework Governing the Emerald Network in Moldova ..	17
3.1. Status of the Emerald Network in Moldova	17
3.2. Establishment of the Emerald Network in the Republic of Moldova	18
3.3. Strategic Policy Framework Supporting the Emerald Network.....	19
3.4. National and Regulatory Framework for the Implementation of the Emerald Network in Moldova	20
3.4.1. Management, monitoring, and reporting of Emerald Network	26
3.5. Legal Readiness of Moldova to transit from Emerald Network to Natura 2000	28
4. Institutional framework on Emerald Network identification, designation, management, monitoring, and reporting	32
4.1. Roles and Responsibilities of Key Institutions	32
4.1.1. Institutional arrangement on management, monitoring, and reporting of Emerald Sites	34
5. Overview of transitioning Emerald to Natura 2000 - EU Nature Directives’ provisions and Republic of Moldova’s correspondence analysis	37
5.1. Introduction	37
5.2. EU Habitats and Birds Directives – An outline	38
5.3. Assessment of Moldova’s Legal and Institutional Compliance with the EU Habitats and Birds Directives	44
5.3.1. Degree of transposition of Directive 92/43/EEC (Habitats Directive)	44
5.3.2. Degree of transposition of Directive 2009/147/EC (Birds Directive)	46
5.3.3. Institutional capacity for implementing Birds and Habitats Directives	49
5.4. Correspondence analysis of the Republic of Moldova	51
5.4.1. Emerald Network constitution process vs Natura 2000 and irregularities	52
5.4.2. Final observations	64
6. Identified legislative and institutional gaps for Natura 2000 readiness	67
6.1. Legal gaps	67
6.2. Institutional and implementation laces	68
7. SWOT Analysis for the Establishment and Management of Emerald Sites in Moldova	71
7.1. Methodological approach	71

7.2.	SWOT general overview and Breakdown	72
7.2.1.	Strengths	74
7.2.2.	Weaknesses	74
7.2.3.	Opportunities	74
7.2.4.	Threats	75
8.	Recommendations on the governance framework of site management and monitoring/reporting of Emerald sites/potential Nature 2000	76

List of Figures

<i>Figure 1 Three-phase procedure followed for the approval of Emerald sites under the Bern Convention</i>	<i>17</i>
<i>Figure 2 Selection and establishment of Natura 2000 sites.....</i>	<i>39</i>
<i>Figure 3 B and H Directives Articles for strict protection of species</i>	<i>40</i>
<i>Figure 4 Emerald Network constitution process vs. Natura 2000 and the B and H Directives</i>	<i>54</i>
<i>Figure 5 Example of the Emerald vs. Natura 2000 coherence table developed for the Norwegian Natural Habitats listed in Emerald Network</i>	<i>64</i>
<i>Figure 6 Coherence of the Emerald Network constitution process with Natura 2000 and the H Directive provisions</i>	<i>66</i>

List of Tables

<i>Table 1: Overview of International Agreements Relevant to Moldova's Biodiversity and Emerald Network</i>	<i>14</i>
<i>Table 2 Level of the approximation of the national legal framework</i>	<i>25</i>
<i>Table 3 Legal framework for Emerald Network categorized by key pillars site identification and designation, site management, and monitoring and reporting</i>	<i>26</i>
<i>Table 4 Emerald Network vs. Natura 2000 Legal and Policy Frameworks</i>	<i>29</i>
<i>Table 5 Transposition scorecard of the Habitats Directive (92/43/EEC)</i>	<i>46</i>
<i>Table 6 Transposition scorecard of the Birds Directive (2009/147/EC)</i>	<i>48</i>

Abbreviations

Abbreviations - Acronyms	Definition
AA	Association Agreement
AEWA	Conservation of African-Eurasian Migratory Waterbirds
APs	Action Plans
ASCI	Area of special conservation interest
BD	Birds Directive
CBD	Convention on Biological Diversity
CJEU	Court of Justice of the European Union
CMS	Conservation of Migratory Species of Wild Animals
CoE	Council of Europe
CON	Continental region
EEA	European Environment Agency
EEC	European Economic Community
EIA	Environmental Impact Assessment
EIONET	European Environment Information and Observation Network
EU	European Union
EUNIS	European Nature Information System
EUROBATS	Conservation of Populations of European Bats
GIS	Geographic Information System
GoEPAEN	Group of Experts on Protected Areas and Ecological Networks
Great Bustard MoU	Memorandum of Understanding on the Conservation and Management of the Middle-European Population of the Great Bustard
HD	Habitats Directive
IBA	International Bird Areas
ICAS	Institute for Research and Forest Management
LPA	Local Public Authority
MoE	Ministry of Environment
MP	Management Plan
NBSAP	National Biodiversity Strategy and Action Plan
NGO	Non-Governmental Organization
PA	Protected Area
pSCIs	Proposed Sites of Community Importance
RS	Remote Sensing
SAC	Special Areas of Conservation
SAC	Special Areas of Conservation
SCI	Sites of Community Importance
SDF	Standard Data Forms
SEA	Strategic Environmental Assessment
SEI	State Environmental Inspectorate
SPA	Special Protection Areas
SWOT	Strengths, Weaknesses, Opportunities, and Threats
UK	United Kingdom
WP	Working Package

Summary

Since 2014, when the Association Agreement (AA)¹ between the Republic of Moldova (herein referred to as Moldova) and the European Union (EU) was signed, the country has directed its efforts towards aligning with and transposing the EU legal and policy framework² across all sectors, including in the field of environment. The communication from the Commission to the European Parliament, the European Council, and the Council on the Republic of Moldova's application for membership in the European Union highlighted that *"although some preparatory work has been done, significant efforts are needed, coupled with political and financial support, to align Moldovan legislation with the EU acquis in the field of Environment and climate action."*³

In 2024, the Commission released its *"Communication on Enlargement Package"* for Moldova, which emphasized for the nature protection that *"...Moldova should continue to prepare to identify and pre-designate sites that the Natura 2000 network will cover..."*⁴ This highlights the country's need to lay the groundwork for meeting EU requirements related to Natura 2000 network and to ensure a smooth transition from the Emerald Network once Moldova becomes an EU member state.

In this regard, Moldova is a party to several **key international treaties and agreements** that collectively form the foundation for its biodiversity conservation efforts, including developing the Emerald Network and the future transition to Natura 2000. These agreements guide national policy, institutional responsibilities, and international cooperation.

The Convention on Biological Diversity (CBD) provides Moldova's strategic biodiversity framework. It influences national planning through instruments like the National Biodiversity Strategy and its Action Plan (NBSAP) and the upcoming 2030 Biodiversity Program. The Bern Convention, ratified in 1993, is the legal backbone for Moldova's Emerald Network, closely aligning with EU directives. Agreements like the Ramsar Convention, Conservation of Migratory Species of Wild Animals (CMS), Conservation of African-Eurasian Migratory Waterbirds (AEWA), and Conservation of Populations of European Bats (EUROBATS) directly support species and habitats' protection efforts that overlap with Emerald/Natura 2000 sites. They promote the conservation of wetlands, migratory birds, and bats, all integral to habitat connectivity and ecosystem health.

The Protocol on Strategic Environmental Assessment (SEA) reinforces proactive planning and biodiversity safeguards, while the Memorandum of Understanding on the Conservation and Management of the Middle-European Population of the Great Bustard (Great Bustard MoU) emphasizes targeted conservation of endangered species tied to both Bern and EU Birds Directive priorities.

Institutional responsibilities, primarily held by the Ministry of Environment (MoE), are defined for each agreement, with the Environmental Agency and other subordinated institutions, as well as research partners supporting implementation, monitoring, and reporting duties.

¹ Association agreement with Moldova | EUR-Lex, <https://eur-lex.europa.eu/EN/legal-content/summary/association-agreement-with-moldova.html>

² Transposition is the process of incorporating EU directives into the national laws of EU Member States (or candidate ones, as the Republic of Moldova is).

³ European Commission, Communication from Commission to the European Parliament, the European Council and the Council, "Commission Opinion on the Republic of Moldova's application for membership of the European Union" Brussels, 2022, https://enlargement.ec.europa.eu/opinion-moldovas-application-membership-european-union_en

⁴ European Commission, Communication from Commission to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of Regions *"2024 Communication on EU enlargement policy"*, Brussels, 2024 https://enlargement.ec.europa.eu/document/download/858717b3-f8ef-4514-89fe-54a6aa15ef69_en?filename=Moldova%20Report%202024.pdf

The Republic of Moldova has developed a structured framework to support the establishment and management of the Emerald Network in line with the Bern Convention as part of its broader goal to align with EU environmental legislation and prepare for integration into the Natura 2000 network. The Emerald designation process in Moldova follows a three-phase approach such as scientific identification (Phase I), biogeographical assessment (Phase II), and national implementation (Phase III). Although all sites have now been approved, progress in management planning remains partial, with only 41% of sites covered by some form of planning.⁵

Moldova's **strategic policy framework** is driven by the National Development Strategy "European Moldova 2030"⁶ and the Environmental Strategy 2024–2030, which sets clear targets such as achieving 30%⁷ management plan coverage by 2026. Complementary policies like the National Climate Change Adaptation Program and water management programs recognize Emerald sites as integral to ecological connectivity and biodiversity protection.

The **legal framework** supporting the Emerald Network includes several key laws, most notably Law No. 94/2007 on the Ecological Network, which provides the foundation for site designation, management, and reporting.⁸ Other relevant acts include environmental, forestry, water, and land-use legislation, as well as sector-specific laws on fisheries and planning. These legal instruments collectively provide protection mechanisms, impact assessment procedures, and planning tools, though gaps remain in transposing the full obligations of the EU Birds and Habitats Directives.

The comparison with Natura 2000 reveals that while Moldova's Emerald framework provides a solid base, further legal harmonization and institutional strengthening are required to meet the EU's more rigorous standards. This includes ensuring that each designated site is supported by robust scientific data, comprehensive field assessments, detailed habitat and species inventories, accurate digital mapping (GIS), and a fully completed Standard Data Form (SDF). Moreover, each site should be accompanied by clear conservation objectives, established protection regimes, and adaptive management plans aligned with EU criteria. These components are essential to ensure the ecological sufficiency, legal defensibility, and functional readiness of Emerald sites for future integration into the Natura 2000 network.

While significant progress has been made in aligning legislation and policy with EU standards, notable legal, institutional, and operational gaps remain. These are related to the need for the transposition of the Birds (2009/147/EC) and Habitats (92/43/EEC) Directives, incomplete legal definitions, and the absence of Special Areas of Conservation (SAC) and Special Protection Areas (SPA) designation terms. Currently, there is a lack of an Agency that will be fully responsible for the administration of the Protected Areas (PA), including Emerald Network, and there is a need for additional personnel to be involved in the coordination, monitoring, and reporting process.

The document includes a set of recommendations for the legal, institutional, management, monitoring, and reporting aspects that will be included as targeted actions in the Road Map.

⁵ EU4Environment. 2024. Roadmap Recommendations for Ensuring Efficient Management and Protection of Emerald Network Sites in the Republic of Moldova. Washington DC: World Bank, <https://www.eu4environment.org/app/uploads/2024/06/Roadmap-recommendations-management-and-protection-of-Emerald-Network-Sites.pdf>

⁶ National Development Strategy "European Moldova 2030", <https://gov.md/ro/moldova2030>

⁷ Environmental Strategy 2024–2030, https://gov.md/sites/default/files/document/attachments/nu-85-mm-2024_0.pdf

⁸ Law No. 94/2007 on the Ecological Network, https://www.legis.md/cautare/getResults?doc_id=133945&lang=ro#

Thus, the country will have a solid document for taking needed steps in its approximation to Natura 2000.

By addressing these priorities and reinforcing institutional frameworks, Moldova can ensure a smooth transition to the Natura 2000 network and fully align with EU biodiversity standards.

1. Introduction

1.1. Goals and objectives

The **primary goal** of the current document is to provide strategic support to the competent authorities of the Republic of Moldova in their efforts to strengthen the legal and institutional framework necessary for the development and management of the Emerald Network, with the potential for its future integration into the Natura 2000 Network once Moldova becomes a member state of the European Union. The document aims to facilitate a comprehensive understanding of the existing governance landscape by examining the relevant legislation, institutional structures, and procedural mechanisms that regulate biodiversity protection and the conservation of species and of natural habitats in Moldova with a particular focus on Emerald Network.

By identifying legal inconsistencies, institutional bottlenecks, capacity limitations, and procedural gaps, the document aims to proactively highlight the barriers that may hinder the effective establishment, management, and long-term monitoring of sites within the Emerald Network, particularly in view of their future transition to the Natura 2000 network once Moldova becomes a member state of the European Union. These findings will serve as an essential foundation for elaborating the necessary legal and institutional reforms, enhancing inter-institutional coordination, and developing robust, adaptive conservation practices that are fully aligned with the requirements of the EU Nature Directives⁹.

A central focus of the current assessment is the alignment of Moldova's governance frameworks with the EU Nature Directives, i.e. **Birds Directive** and the **Habitats Directive**. This alignment is crucial for ensuring that Moldova not only meets its international biodiversity commitments but also lays the groundwork for potential future accession to the Natura 2000 Network. The document will, therefore, assess the degree of compliance with EU requirements concerning site designation, ecological criteria, site management planning, monitoring obligations, and restoration targets. Ultimately, the goal is to provide Moldovan stakeholders with a structured baseline assessment to inform decision-making, guide capacity-building efforts, and support integrating European best practices into national biodiversity policies. All these efforts will be consolidated in the **Road Map**, which will serve as the final key deliverable and guiding document outlining how Moldova should (and where) focus its efforts on transitioning from the Emerald Network to the Natura 2000 network, initiating this process from the current stage of the project.

In alignment with the Grant Agreement key indicators, it is important to highlight that the primary objective of this document will be focused on:

- ▶ Assessing the existing legal and institutional frameworks relevant to implementing the Emerald Network and its potential transition to the Natura 2000 Network.
- ▶ Identifying barriers, gaps, risks, and opportunities across five key horizontal operational components:
 - Site designation and establishment
 - Fulfilment of ecological criteria

⁹ The **EU Nature Directives** refer to two cornerstone pieces of European Union legislation aimed at the protection of biodiversity and natural habitats across member states (the Birds Directive – Directive 2009/147/EC and the Habitats Directive – Directive 92/43/EEC). They form the legal basis for the **Natura 2000 network**, the largest coordinated network of protected areas in the world.

- Site management, including the development of Action Plans (APs) and Management Plans (MPs)
 - Monitoring and reporting mechanisms
 - Policy integration, particularly concerning ecological coherence, connectivity, and restoration
- ▶ Establishing the degree of correspondence between Moldovan legislation and the provisions of the EU **Birds** and **Habitats Directives**.
 - ▶ Engaging relevant stakeholders and incorporating their insights and perspectives into the baseline assessment process.
 - ▶ Identifying capacity-building needs, including institutional readiness, technical capabilities, and staff expertise in applying EU conservation tools and standards.
 - ▶ Laying the groundwork for future implementation phases through stakeholder consultation, legal alignment, and the dissemination of preliminary findings.

1.2. Method followed

The implementation of the current task follows a structured and multi-layered methodology, combining desk research, stakeholder engagement, institutional analysis, and multi-stakeholder consultations. The process includes the following key components:

- ▶ **Baseline Legal and Institutional Analysis**
 - Moldova's primary and secondary environmental legislation, relevant international biodiversity agreements, and key Emerald Network reference documents will be reviewed.
 - A comparative analysis will be undertaken to evaluate the degree of alignment between national legal and institutional provisions and the requirements of the EU Birds and Habitats Directives.
 - Examining the frameworks governing site designation, planning and approval procedures, and institutional responsibilities in managing protected areas will receive special emphasis.
- ▶ **Data collection tools**

A set of **structured questionnaires** was developed, and input was collected from government authorities, non-governmental organizations (NGOs), biodiversity experts, and protected area managers on:

- The effectiveness of current site planning and management frameworks
- Monitoring mechanisms
- Institutional challenges and capacity needs

Additionally, EcoContact conducted **in-person discussions** and direct consultations to gather qualitative insights and ensure inclusive participation. The stakeholder mapping and engagement plan developed under working package (WP) 2 will be a structured methodology for facilitating stakeholder consultation, validation, and participatory input for the current document.

- ▶ **Gap and Strengths, Weaknesses, Opportunities, and Threats (SWOT) institutional assessment**

A central component of the methodology is the comprehensive gap analysis to evaluate Moldova's readiness for transitioning from the Emerald Network to the Natura 2000

framework. This analysis forms a critical part of the assessment process and is structured around five key horizontal operational components as described in the above compartment.

The gap analysis is being used to systematically identify areas where Moldova's current **legal, institutional, and operational frameworks** fall short of the requirements outlined in the **EU Habitats and Birds Directives**. At the same time, it highlights areas where **progress has already been made**, allowing for a balanced assessment that captures both challenges and achievements. This comparative evaluation between national practices and EU standards provides actionable insights into improving long-term conservation efforts and achieving coherence with the broader European ecological network.

In support of this analysis, a SWOT analysis of Moldova's institutional framework has already been developed under Task T2.2. The SWOT assessed both internal factors (such as governance structures, technical capacity, and legal framework) and external factors (including funding mechanisms, international partnerships, and emerging policy opportunities) that influence the country's ability to effectively manage and sustain Emerald and future Natura 2000 sites.

1.3. Output results

As a key outcome, D2.1 is expected to deliver a **concise baseline assessment** of the current legal, institutional, and operational context related to the Emerald Network in Moldova. This output will identify gaps and challenges in national policies and governance structures across the five horizontal technical and operational components: site designation, ecological criteria, site management, monitoring and reporting, and policy integration.

The assessment will also address specific areas requiring attention, such as formulating clear conservation objectives for existing sites, compliance with site management and monitoring obligations, and the effectiveness of current institutional frameworks. Furthermore, it will evaluate the capacity of national authorities and experts in applying Natura 2000 protocols, particularly the use of Standard Data Forms and assess technical readiness in implementing modern tools such as GIS, WebGIS, remote sensing (RS), and digitalized management planning systems.

The findings of Deliverable D2.1 will directly inform Task T.2.2 by providing a structured set of prioritized recommendations and best practices, focusing on addressing the most critical legal, institutional, and operational issues identified during the baseline assessment. These recommendations will be integrated into the formal list of proposals to support Moldova's alignment with the EU Nature Directives. Furthermore, the identified gaps under D2.1 will serve as foundational input for Task T.3.2, contributing to developing the roadmap for the transition from the Emerald Network to the Natura 2000 framework in Moldova. Particular emphasis will be placed on legal and institutional reforms, while the findings will also guide other key components of the roadmap, ensuring a coherent and actionable strategy for Natura 2000 readiness.

1.4. Comments – Issues – Challenges

While the legal framework and institutional attributions related to biodiversity governance in Moldova are relatively well-defined and documented, several practical challenges emerged during the implementation of Task T.2.1.

One key issue concerns the fragmentation of information generated by civil society and research institutions. Although numerous biodiversity-related actions have been undertaken

through various projects, including research, the results are often dispersed, uncoordinated, and not integrated into a centralized or accessible database. As a result, it is difficult to gain a comprehensive overview of existing data, and there is a risk that some of the recommendations made within this assessment may overlap with previously provided support that is not publicly known or formally documented. This lack of transparency and coordination undermines the ability to build on existing work and avoid duplication of effort.

Another notable challenge encountered was the limited responsiveness of individuals to the questionnaire survey. Despite efforts to engage a broad range of stakeholders, a certain degree of passiveness, particularly among institutional respondents, restricted the collection of detailed insights. This reduced the depth and scope of the qualitative analysis and may have limited the identification of more nuanced institutional or operational issues.

Addressing these challenges will require stronger coordination between research institutions and government authorities, the establishment of more effective data-sharing mechanisms, and the enhancement of stakeholder engagement strategies, in order to ensure a more comprehensive understanding of existing progress on Emerald Network-related issues.

2. International Treaties, Conventions, and Agreements on Biodiversity and Protected Areas: Moldova's Commitments

This section provides an overview of the international policy framework relevant to biodiversity conservation and protected areas in the Republic of Moldova, focusing on instruments supporting the development and implementation of the Emerald Network. The scope here is limited to international-level commitments, while the national legal and policy context will be addressed separately in another part of the report to ensure clarity and analytical depth. It will outline Moldova's participation in key global environmental agreements (such as the Convention on Biological Diversity, Ramsar Convention, Convention on International Trade in Endangered Species of Wild Fauna and Flora, and Conservation of Migratory Species of Wild Animals) and regional and EU-associated frameworks (including the Bern Convention, Aarhus Convention, and others). Each international instrument will be presented with a summary of its objectives, Moldova's ratification and implementation status, and its relevance to protected area governance, biodiversity monitoring, and Natura 2000 alignment.

The international legal and policy instruments covered in this section form the external environmental governance framework that complements and supports Moldova's national biodiversity strategies and its efforts to align with EU Nature Directives, namely the Habitat and the Birds Directive.

Over the past three decades, Moldova has ratified or acceded to a broad range of global, regional, and bilateral environmental agreements, many of which establish binding or soft obligations in areas such as:

- Species and habitat protection
- Sustainable use of natural resources
- Pollution control
- Public participation in environmental decision-making
- Transboundary ecosystem management
- Climate adaptation and resilience

These instruments vary in their degree of relevance to the objectives and technical structure of the Emerald and Natura 2000 Network. Some provide a direct legal basis for site designation, species protection, and habitat management (e.g., the Bern Convention, EUROBATS, or AEWA), while others contribute indirectly by supporting complementary policy areas such as pollution prevention, climate change mitigation, or environmental governance.

To ensure clarity and focus, this chapter presents a summary matrix of those international agreements directly relevant to the implementation, management, or transition of the Emerald Network to the Natura 2000 framework in Moldova. These include conventions and agreements that:

- Serve as the legal foundation for the Emerald Network
- Cover species or habitats listed under the EU Birds and Habitats Directives
- Establish requirements for site-based monitoring, planning, or conservation action

- Promote transboundary cooperation on ecosystem protection

Conversely, agreements that provide more indirect support, such as those focusing on climate change, chemical pollution, environmental information systems, or biosafety, are recognized as important contextual instruments but will be listed separately in **Annex 1**. These frameworks offer critical cross-sectoral synergies reinforcing Moldova's broader environmental governance capacity but are not specifically designed for or legally linked to the Emerald/Natura 2000 framework.

Chapter 5 will continue with information concerning the EU Nature Directives, the current level of their approximation in Moldova, and the necessary steps to align the Emerald Network with the Natura 2000 framework.

Table 1: Overview of International Agreements Relevant to Moldova's Biodiversity and Emerald Network¹⁰

International agreements	Ratification & Implementation Status	Relevance to Biodiversity / Protected Areas	Institutional Responsibilities	Relevance to Emerald Network / Natura 2000
Convention on Biological Diversity	Entered into force in 1996; National Biodiversity Strategy and Action Plan until 2020 was adopted. Currently, the country is in the process of developing a Program with an Action Plan for the period to follow until 2030.	Sets global goals for conservation, sustainable use, and fair benefit-sharing; guides national biodiversity planning	Ministry of Environment	Direct relevance – provides the strategic framework for Emerald implementation and underpins Natura 2000-aligned conservation targets
Convention on Wetlands of International Importance (Ramsar Convention)	Ratified by Moldova in 2000, 3 Ramsar sites designated	Promotes conservation and wise use of wetlands through local, national, and international actions	Ministry of Environment	Direct relevance – supports the protection of wetland habitats that overlap with or complement Emerald and Natura 2000 sites; reinforces ecosystem-based management and ecological connectivity
Convention on the Conservation of Migratory Species of Wild Animals	Ratified by Moldova in 2001;	Promotes conservation of migratory species and their habitats through coordinated international action.	Ministry of Environment	Direct relevance – supports protection of migratory species that rely on Emerald/Natura 2000 sites; strengthens ecological connectivity and cross-border habitat conservation.
Convention on the Conservation of	Ratified by Moldova in 1993, Emerald	The core instrument for protecting wild species and	Ministry of Environment	Direct relevance – the legal foundation for the Emerald Network in Moldova; aligns closely

¹⁰ Ecolex, <https://www.ecolex.org/result/?type=treaty&xcountry=Moldova%2C+Republic+of&page=6>

International agreements	Ratification & Implementation Status	Relevance to Biodiversity / Protected Areas	Institutional Responsibilities	Relevance to Emerald Network / Natura 2000
European Wildlife and Natural Habitats (Bern Convention)	Network implementation is ongoing in line with Bern's requirements	natural habitats at the pan-European level		with EU Birds and Habitats Directives and serves as a preparatory mechanism for future transition to Natura 2000
Agreement on the Conservation of Populations of European Bats (EUROBATS)	Ratified in 2001.	Aims to protect all European bat species and their habitats through international cooperation	Ministry of Environment	Direct relevance – supports the conservation of bat species listed in the EU Habitats Directive; many roosting and foraging habitats fall within Emerald/Natura 2000 sites
Agreement on the Conservation of African-Eurasian Migratory Waterbirds	Entered into force in 2000.	Focuses on the conservation of migratory waterbirds and the protection of key habitats across their flyways	Ministry of Environment	Direct relevance – many AEWA-listed species occur in Emerald sites; supports habitat protection, connectivity, and coordinated site management in line with Natura 2000 objectives.
Protocol on Strategic Environmental Assessment to the Espoo Convention	Ratified by Moldova in 2010, SEA procedures integrated into national legislation and planning frameworks	Ensures early integration of environmental and biodiversity concerns into policies, plans, and program	Ministry of Environment; Environmental Agency;	Direct relevance – supports proactive biodiversity protection and spatial planning around Emerald/Natura 2000 sites; helps prevent adverse impacts from land-use plans and sectoral strategies
Memorandum of Understanding on the Conservation and Management of the Middle-European Population of the Great	Signed by Moldova in 2001, conservation measures and monitoring obligations recognized	Aims to conserve one of Europe's most threatened bird species through habitat protection, monitoring, and transboundary cooperation	Ministry of Environment;	Direct relevance – supports species listed in Annex I of the Birds Directive; habitats overlap with Emerald sites and align with future Natura 2000 site conservation objectives

International agreements	Ratification & Implementation Status	Relevance to Biodiversity / Protected Areas	Institutional Responsibilities	Relevance to Emerald Network / Natura 2000
Bustard (<i>Otis tarda</i>) (under CMS)				

Source: Developed by EcoContact

3. National Legal and Policy Framework Governing the Emerald Network in Moldova

3.1. Status of the Emerald Network in Moldova

Since acceding to the Bern Convention, the Republic of Moldova has committed to taking concrete steps to protect species and natural habitats, including through the establishment and development of the Emerald Network. To support this objective, Moldova has implemented several pilot projects to lay the groundwork for the national designation of Emerald sites in accordance with international standards.

To provide a comprehensive understanding of the designation process in Moldova, it is important to outline the standardized three-phase procedure followed for the approval of Emerald sites under the Bern Convention:

Phase I: This initial phase focuses on the scientific identification and national proposal of potential Emerald sites. Sites are selected based on the presence of priority species and habitats as defined by the Bern Convention's Resolutions and Reference Lists. The proposals are compiled and submitted to the Secretariat of the Bern Convention for further consideration.

Phase II: At this stage, the proposed sites undergo an international biogeographical assessment coordinated with the Council of Europe and the European Environment Agency. This phase thoroughly reviews data completeness, scientific accuracy, and alignment with biogeographical criteria. Once validated, the sites are recognized as officially part of the Emerald Network, and management and conservation recommendations are issued.

Phase III: This final phase pertains to the national-level implementation, during which approved Emerald sites are integrated into national conservation frameworks. This includes the development of site-specific monitoring systems and management plans and the continuous updating of scientific data to ensure long-term ecological integrity and reporting compliance.¹¹

This structured, phased approach ensures that Emerald sites in Moldova are not only scientifically grounded but also meet the ecological coherence and policy alignment objectives of the Bern Convention. Moreover, it lays the foundation for a future transition to the Natura 2000 network, supporting Moldova's broader efforts toward EU environmental integration and enhanced biodiversity conservation at the pan-European level.

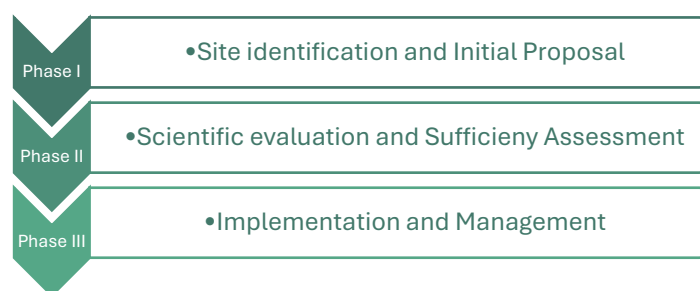


Figure 1 Three-phase procedure followed for the approval of Emerald sites under the Bern Convention

¹¹ EU4Environment. 2024. Status of Emerald Species and Habitats in the Republic of Moldova: a Legal and Institutional Framework Assessment. Washington, DC: World Bank. <https://www.eu4environment.org/app/uploads/2024/06/Legal-and-Institutional-Framework-Assessment-Emerald-Species-and-Habitats.pdf>

3.2. Establishment of the Emerald Network in the Republic of Moldova

This subchapter provides a brief overview of the establishment of the Emerald Network in the Republic of Moldova, serving as a contextual introduction to the subsequent analysis of the national legal framework. It does not aim to present a detailed account of the Emerald Network designation process, as several comprehensive documents have already been developed nationally. It is worth noting that a comprehensive report developed under a World Bank-supported initiative already provides an in-depth description of the methodology, steps, and institutional procedures used to identify and establish Emerald sites in Moldova. Therefore, the purpose of this section is to offer a general overview of the main phases of the Emerald designation process enough to inform the legal and institutional analysis that follows.

The designation of the Emerald Network in the Republic of Moldova has followed the structured three-phase process established under the Bern Convention. **Phase I** was carried out within the framework of a joint EU–Council of Europe programme, aimed at extending the principles of the Natura 2000 network to non-EU countries by implementing the Emerald Network. Moldova, along with six other target countries, received support in assessing natural resources, identifying species and habitats of European conservation interest, and selecting potential Areas of Special Conservation Interest (ASCIs). The key outputs of this phase included the creation and training of national multidisciplinary teams, the preliminary identification and mapping of ASCIs, the collection of species and habitat data, and the documentation of these sites using the Emerald/Natura 2000 SDF.¹²

Phase II further developed this work through the project “*Support for the Creation of the Emerald Network*,” which aimed to disseminate the principles of Natura 2000 and the EU environmental acquis to the participating countries while also promoting the implementation of the Bern Convention. In Moldova, the process was strengthened by an additional initiative funded by Prince Albert II of Monaco Foundation, which helped address sufficiency gaps identified during the biogeographic seminars. This included the identification and proposal of additional ASCIs, the revision of the national reference database to ensure the inclusion of all relevant species (Bern Convention Resolution No. 6, 1998) and habitats (Resolution No. 4, 1996), and the provision of supplementary scientific data and comments on national species and habitat occurrence.¹³

Phase III focuses on the approval, implementation, and long-term management of the network. While Moldova has benefited from ongoing support through the EU4Environment programme¹⁴, the main indicator for measuring Phase III progress remains the proportion of Emerald sites covered by formal management plans. At present, 41% of sites are reported to have some form of management planning in place. However, this figure includes forest enterprises with action plans that may only partially overlap with Emerald sites, meaning the percentage may not accurately reflect the true number of Emerald-specific management plans. Nevertheless, all

¹² Council of Europe, 1st Joint Programme <https://pjp-eu.coe.int/emerald-network/1st-joint-programme.html>

¹³ Council of Europe, Emerald Network of Nature Protection Sites, Phase II <https://pjp-eu.coe.int/en/web/emerald-network/activities.html>

¹⁴ Biodiversity and Emerald Network, <https://www.eu4environment.org/areas-of-work/biodiversity-and-emerald-network/>

proposed Emerald sites in Moldova have now been formally approved (61 sites), and implementation efforts are ongoing¹⁵.

It is important to note that the constitution of the Emerald Network, although structured in three phases, should not be viewed as a strictly linear process. In practice, it is an **iterative cycle**, beginning with the national identification of potential sites (Phase I), followed by scientific evaluation at the biogeographical level (Phase II), and continuing into national implementation and management (Phase III). However, in cases where approved, current sites are deemed scientifically insufficient to ensure adequate protection for targeted species or habitats (like in the case of the Republic of Moldova), the process may loop back to Phase I to identify and propose additional areas. This cyclical nature ensures that the network evolves over time to meet changing conservation needs and maintain coherence with European standards.

3.3. Strategic Policy Framework Supporting the Emerald Network

The Republic of Moldova's environmental policy framework is shaped by a combination of national priorities, regional commitments, and international obligations, all aimed at promoting sustainable development and ensuring biodiversity conservation. The cornerstone of this framework is the National Development Strategy "European Moldova 2030", which outlines the country's long-term strategic vision and serves as a foundation for developing future environmental programs, sectoral strategies, and legislative initiatives.

In the environmental field, the **Environmental Strategy for 2023-2030** sets the direction for sectoral policy documents, including those focused on environmental protection, natural resource management, and ecological network development. One of the strategic directions outlined in the strategy focuses on expanding state-protected natural areas and the sustainable management of biodiversity assets. This includes specific measures to advance the designation and development of Emerald Network sites and strengthen the management of existing protected areas, ensuring alignment with international conservation standards and long-term ecological resilience. In line with national strategic goals, the Environmental Strategy for 2024–2030 sets a clear target to strengthen the management of Emerald Network sites, aiming for 30% of sites to be covered by approved Management Plans by 2026. This objective reflects Moldova's commitment to improving site-level governance, ensuring that conservation measures are both effective and aligned with the ecological requirements of protected species and habitats. It also supports the broader transition toward compliance with EU Nature Directives and the future integration into the Natura 2000 network.¹⁶

National Program for the Climate Change Adaptation until 2030 emphasizes the importance of ensuring the functional management of the National Ecological Network and the Emerald Network, recognizing them as integral components of a future Natura 2000 framework. This approach aims to guarantee the long-term survival of vulnerable species of flora and fauna by maintaining ecological connectivity, applying targeted conservation measures, and aligning national efforts with European biodiversity standards.¹⁷

Danube-Prut and Black Sea River Basin District Management Program, cycle II (2023-2028) emphasize that a protected zone is defined as a territory designated for the protection of

¹⁵ EU4Environment. 2024. Status of Emerald Species and Habitats in the Republic of Moldova: a Legal and Institutional Framework Assessment. Washington, DC: World Bank.
<https://www.eu4environment.org/app/uploads/2024/06/Legal-and-Institutional-Framework-Assessment-Emerald-Species-and-Habitats.pdf>

¹⁶ Environmental Strategy of the Republic of Moldova for 2024-2030,
<https://cms.ecocontact.md/uploads/ecocontact/originals/96e85b2c-67c4-4300-aba5-b18bf197c3f1.pdf>

¹⁷ National Program for the Climate Change Adaptation until 2030,
https://unfccc.int/sites/default/files/resource/NAP_Moldova_2024.pdf

surface and groundwater resources or for the conservation of habitats and species that are directly dependent on those water bodies. This includes areas where the maintenance or improvement of water status is a critical factor for achieving conservation objectives. Notably, this category encompasses sites of importance to the Emerald Network and wetlands of international importance, such as those designated under the Ramsar Convention.¹⁸

The Republic of Moldova is developing a new National Biodiversity Programme and Action Plan with a strategic outlook extending to 2030.¹⁹ This forthcoming document is intended to replace the Biological Diversity Strategy for 2015–2020 and its associated Action Plan, providing an updated framework for biodiversity conservation aligned with national priorities, international commitments, and the objectives of the Kunming-Montreal Global Biodiversity Framework.

3.4. National and Regulatory Framework for the Implementation of the Emerald Network in Moldova

The Republic of Moldova's national legal and regulatory framework for environmental protection consists of a hierarchical structure of **primary legislation**, including the Constitution and core environmental laws and **secondary legislation**, such as government decisions, ministerial orders, and technical norms. These instruments form the legal foundation for the conservation and sustainable use of natural resources, including the establishment and management of protected areas.²⁰

Moldova's environmental legislation is shaped by both national priorities and international obligations, including its commitments under the Bern Convention and the broader goal of aligning with the EU environmental acquis, particularly in the context of future accession. Within this framework, the development of the Emerald Network serves as a key instrument for biodiversity conservation and forms part of the country's gradual convergence with EU Nature Directives.

It is important to note that the current chapter will not provide an in-depth analysis of Moldova's level of approximation to the EU Habitats and Birds Directives, as this will be addressed in detail in the following chapter (Chapter 5). Instead, this section will focus on outlining the existing national legislative and regulatory provisions directly related to the Emerald Network, including the identification of any references to or transposition of relevant EU legal acts.

Law No. 94/2007 on the Ecological Network establishes the legal foundation for the creation and development of the National Ecological Network in the Republic of Moldova. This network is defined as an integrated component of the Pan-European Ecological Network, encompassing both national and local ecological systems. The law establishes a management and protection regime for the national ecological network, including Emerald sites. It outlines the roles, responsibilities, and capacities of public administration authorities in its implementation. Under the provisions of Law No. 94/2007, the Emerald Network is recognized as a network of special areas of conservation within the broader national ecological framework.²¹ It extends the coherent European ecological network "Natura 2000" in non-EU countries. Accordingly, Emerald

¹⁸ Danube-Prut and Black Sea River Basin District Management Program, cycle II (2023-2028), GD 444/2022, https://www.legis.md/cautare/getResults?doc_id=132734&lang=ro

¹⁹ Concept of the Biodiversity Program 2024-2030, https://particip.gov.md/ro/download_attachment/22905

²⁰ Development of legal acts, https://www.justice.gov.md/public/files/file/reforma_sectorul_justitiei/proiecte_asist_tehnica_nr1/Partea_introductiv_a_Manualului_PRIVIND_ELABORAREA_ACTELOR_LEGISLATIVE.pdf

²¹ Law No. 94/2007 on the Ecological Network, https://www.legis.md/cautare/getResults?doc_id=133945&lang=ro#

sites are intended to contribute to preserving biodiversity and ecological connectivity on a continental scale.

Law No. 1515/1993 on Environmental Protection serves as the foundational legal act governing environmental protection and the sustainable management of natural resources in the Republic of Moldova. Its overarching goal is to maintain ecological balance and promote sustainable development while guaranteeing the right of every individual to live in a healthy and aesthetically pleasant environment—considered a fundamental component of quality of life. Among its key objectives, the law aims to prevent pollution of soil, water, and air through chemical, physical, or biological means that may disrupt natural systems. It also emphasizes the conservation of biodiversity, protection of genetic resources, and the safeguarding of natural system integrity, including preserving environmental elements linked to historical and cultural heritage.

Law 1515/1993 underscores the importance of ecosystem restoration in cases of degradation due to human activity or natural disasters. It reinforces the role of ecological restoration in preserving biodiversity and ensuring the continuity of ecological functions. As a framework law, it supports the development of sectoral regulations and implements provisions aligned with both national and international environmental obligations, including those pertaining to the Emerald Network.²²

Law No. 1538/1998, on the Fund²³ of State Protected Natural Areas, is another key regulatory act relevant to the governance of Emerald Network sites, particularly because it structured the national system of protected natural areas in the Republic of Moldova.

The primary objective of this law is to ensure the protection and sustainable conservation of ecosystems, plant and animal species and to maintain overall ecological balance. It establishes a classification system for protected areas and assigns different protection regimes depending on the category, ranging from strict nature reserves to managed resource zones. Within these regimes, the law prohibits activities that could result in pollution, degradation of ecosystems, or the overexploitation of natural resources while allowing for regulated, sustainable use where appropriate. Many areas designated as part of the Emerald Network (ASCIs) are already under some form of national protection defined by Law 1538/1998, such as scientific nature reserves, national parks, or nature reserves. This overlap allows Emerald sites to benefit from the legal protection and enforcement mechanisms already provided under national law.²⁴

Forestry code no 69/2024, which entered into force in April 2025, foresees that state control over forest and hunting lands, as well as other lands covered with forest vegetation, is exercised by the competent administrative authority responsible for state supervision and control in the field of environmental protection and natural resource use. Within the national forestry system, the Republic of Moldova distinguishes two functional groups of forests, one of which is particularly relevant to environmental conservation:

- The first functional group comprises forests with special protection functions. These are primarily managed for purposes such as nature conservation, preservation of the gene pool and forest ecosystems, scientific research, protection of historical and cultural heritage, safeguarding of water bodies and soils, and recreational and

²² Law No. 1515/1993 on Environmental Protection, https://www.legis.md/cautare/getResults?doc_id=141043&lang=ro#

²³ In this context, the term “Fund” refers to the **national system or network** of state protected natural areas, as established by Law No. 1538/1998. It does not imply financial resources but rather denotes an organized collection of designated protected sites.

²⁴ Law No. 1538/1998, on the Fund of State Protected Natural Areas, https://www.legis.md/cautare/getResults?doc_id=108578&lang=ro

ecological tourism. This category includes but is not limited to forests located within the national system of protected areas and those that are part of the Emerald Network.

The applicable forest regime and other relevant normative acts determine the manner of forest use within state-protected natural areas, the ecological network, and the Emerald Network. These legal instruments define the permitted activities, usage restrictions, and conservation obligations necessary to safeguard the ecological integrity of these areas.

Conservation objectives for forests located within state-protected natural areas, the ecological network, and the **Emerald Network** are established to maintain or restore the favorable conservation degree of natural habitats. In the application of forest management within these areas, the **provisions of approved management plans**, or where applicable, the **set of minimum conservation measures** defined for overlapping protected natural areas, shall **take precedence over technical forestry rules**. This ensures that forestry activities are subordinate to conservation priorities and that any interventions are compatible with the ecological values and protection regimes of the Emerald Network and other designated conservation frameworks.

This legal approach reinforces the alignment of forest management practices with national and international biodiversity commitments, particularly under the **Bern Convention** and the ongoing efforts to ensure coherence with the **EU Nature Directives**.

The annual state budget of the Republic of Moldova explicitly provides financial allocations to support the maintenance, development, and conservation of the Emerald Network alongside the broader ecological and protected area systems. These funds are intended to strengthen institutional capacity to manage valuable forest sectors, support the expansion of the ecological network, and ensure the long-term conservation of habitats and species designated under the Emerald framework. This reflects the state's recognition of the Emerald Network as a national conservation priority, aligned with international obligations.²⁵

Urban Planning and Construction Code no. 434/2023 requires that any construction activity, even if not listed under formal Environmental Impact Assessment (EIA) procedures, must be screened for potentially significant impacts on Emerald sites. If a risk to an Emerald site is identified, the permitting process is suspended until a biodiversity assessment is carried out in accordance with Law No. 86/2014 on Environmental Impact Assessment. Approval for construction can only proceed if the competent environmental authority concludes that the activity will not significantly harm the Emerald site or that appropriate mitigation conditions are met. If a significant adverse impact is confirmed and cannot be mitigated, the building permit must be refused. This mechanism ensures that the integrity of Emerald Network sites is prioritized and legally safeguarded in land-use planning and development decisions.²⁶

Law no. 272/2011 on Water, art., 19¹ recognizes protected zones of rivers and aquatic basins designated for protecting habitats and species, including those important for the Emerald Network, as part of the national system for integrated water resource management. These zones are officially registered in the State Water Cadastre²⁷ and play a critical role in ensuring that water quality and hydrological conditions are maintained or improved, which is essential for the conservation objectives of Emerald sites. By embedding Emerald-relevant areas into the Register of Protected Areas at the river basin district level, the law strengthens cross-sectoral

²⁵ Forestry code no 69/2024, https://www.legis.md/cautare/getResults?doc_id=142948&lang=ro

²⁶ Urban Planning and Construction Code no. 434/2023, https://www.legis.md/cautare/getResults?doc_id=147679&lang=ro#

²⁷ SIA State Water Cadastre, https://www.legis.md/cautare/getResults?doc_id=144908&lang=ro#

coordination between biodiversity conservation and water management authorities, contributing to the ecological coherence of Moldova's protected area system.²⁸

Law no. 11/2017 on Strategic Environmental Assessment states that SEA is mandatory for any policy or planning document that **may have a significant impact on Emerald Network** sites, even if the document is not directly related to the management of those sites. This requirement is established under Law No. 94/2007 on the Ecological Network. Sectoral policies in areas such as land use, agriculture, forestry, and tourism are subject to SEA when they potentially affect Emerald sites. Exemptions from this obligation are only permitted if the competent authority, through a screening procedure, determines that the proposed document is unlikely/ to have significant environmental impacts.²⁹

Law no.86/2014 on Environmental Impact Assessment states that any planned activity, whether listed in formal environmental impact assessment annexes or not, must undergo a biodiversity assessment if it may have a significant impact on Emerald Network sites in line with Law No. 94/2007 on the Ecological Network. This includes both direct and indirect impacts on habitats and species protected under the Emerald framework. If a proposed activity is unrelated to site management and poses a potential adverse effect, the permitting process must be suspended until the biodiversity assessment is completed. This mechanism ensures that Emerald sites receive legal protection through proactive impact screening and assessment procedures embedded in national permitting and EIA frameworks. Before authorizing any activity potentially impacting Emerald Network sites, a biodiversity assessment screening must be initiated by the developer through a formal request to the Environment Agency. This process evaluates whether the planned activity—based on its location, nature, and relationship to site management—may significantly affect the integrity or ecological coherence of Emerald sites. If risks are identified, a biodiversity assessment becomes mandatory. The biodiversity assessment process is a critical legal safeguard for protecting Emerald Network sites in Moldova. When a planned activity may significantly impact these sites, the developer must prepare a biodiversity assessment study, which must demonstrate the absence of alternative solutions and the presence of overriding public interest and propose compensatory measures where required, in line with Law No. 94/2007. The Agency must always ensure that Emerald sites' coherence and ecological functionality are preserved. Public access and participation are integral, reinforcing transparency and accountability in decision-making related to biodiversity protection.³⁰

Law no. 149/2006 on fish stocks, fisheries, and fish farming³¹, art. 41 establishes that any planned activity, such as the design, location, or construction of projects near fishponds, that may impact aquatic ecosystems must undergo an Environmental Impact Assessment and/or a biodiversity assessment, particularly if the activity could significantly affect Emerald Network sites. Even activities not listed in Annexes 1 or 2 of Law No. 86/2014 are subject to biodiversity assessment if they pose potential risks to Emerald habitats. The permitting process must incorporate specific environmental protection conditions, including measures to safeguard aquatic species and habitats, and economic operators are required to finance restoration or mitigation efforts. This ensures that Emerald site integrity is considered and protected in water-related infrastructure planning and development.

²⁸ Law no. 272/2011 on Water, https://www.legis.md/cautare/getResults?doc_id=147704&lang=ro#

²⁹ Law no. 11/2017 on Strategic Environmental Assessment, https://www.legis.md/cautare/getResults?doc_id=144643&lang=ro#

³⁰ Law no.86/2014 on Environmental Impact Assessment, https://www.legis.md/cautare/getResults?doc_id=139828&lang=ro#

³¹ Law no. 149/2006 on fish stocks, fisheries, and fish farming, https://www.legis.md/cautare/getResults?doc_id=141556&lang=ro#

Minister of Environment Order no. 150/2024 on the Guide to the Quality Assessment of the Environmental Impact Assessment Report. The guide provides standardized criteria and procedures for evaluating the completeness, accuracy, and relevance of environmental impact assessment reports submitted under Law No. 86/2014 on Environmental Impact Assessment. The Guideline provides guidance to the Technical Committee in order to understand if the possible significant impact on Emerald Network was assessed or forecasted.³²

Minister of Environment Order no. 105/2024 on the Biodiversity Assessment provides the methodological framework for evaluating the potential impact of planned activities on Emerald Network sites and other areas of high biodiversity value. It outlines the screening, scoping, assessment, and reporting procedures, in line with Law No. 94/2007 on the Ecological Network and Law No. 86/2014 on Environmental Impact Assessment.³³

The guideline emphasizes the identification of species, habitats, and protected areas that may be affected and requires evaluating alternative solutions, potentially significant impacts, and, where necessary, compensatory measures. It ensures that biodiversity considerations are integrated into project planning and decision-making, according to EU nature directives and the Bern Convention.

Minister of Environment Order no. 80/2024 on developing the Management Plans for the Emerald Sites approves **the official Guide for the Development of Management Plans for Emerald Network sites in the Republic of Moldova.** The guide provides a structured framework and methodology for drafting and implementing management plans to achieve the favorable conservation degree of species and habitats protected under the Bern Convention.

Key elements of the guide include:

- Assessment of conservation objectives and ecological values of each site;
- Zoning and prioritization of management measures based on threats and pressures;
- Stakeholder engagement mechanisms, including roles of local communities and authorities;
- Monitoring and reporting procedures aligned with national and EU standards;
- Integration with national biodiversity strategies and relevant EU Nature Directives for future alignment with Natura 2000.³⁴

This guide is a critical tool for ensuring effective and consistent management of Emerald sites across Moldova and supports the country's international obligations in biodiversity conservation.

Minister of Environment Order no. 83/2024 on approving the Guide for the Quality of the Strategic Environmental Assessment Report ³⁵approves the official Guide for Assessing the Quality of the SEA Report. The guide establishes uniform evaluation criteria and procedures to be used by competent authorities when reviewing SEA reports submitted under Law No. 11/2017 on Strategic Environmental Assessment.

³² Minister of Environment Order no. 150/2024 on the Guide to the Quality Assessment of the Environmental Impact Assessment Report, <https://mediu.gov.md/sites/default/files/Documente%20atasate%20Advance%20Pagines/Ghid%20evaluare%20Raport%20EIM%20aprobat%20Ordin%20150.pdf>

³³ Minister of Environment Order no. 105/2024 on the Biodiversity Assessment, <https://cms.ecocontact.md/uploads/ecocontact/originals/03fd89ff-4a33-4c0e-8105-1b9565634bf1.pdf>

³⁴ Minister of Environment Order no. 80/2024 on developing the Management Plans for the Emerald Sites, <https://www.mediu.gov.md/sites/default/files/Documente%20atasate%20Advance%20Pagines/Ghidul%20pentru%20Planurile%20de%20management%20Emerald%20ordin%2080.pdf>

³⁵ Minister of Environment Order no. 83/2024 on approving the Guide for the Quality of the Strategic Environmental Assessment Report, https://www.eu4environment.org/app/uploads/2024/07/Moldova_Guidelines-on-SEA-Quality-Control_ROM.pdf

The guide aims to ensure that SEA reports:

- Accurately identify and assess significant environmental and health effects, including Emerald Network sites.
- Include a clear analysis of reasonable alternatives.
- Address biodiversity-related impacts in line with national legislation and international obligations (e.g., Bern Convention, SEA Protocol).
- Present measurable mitigation measures and monitoring frameworks.
- Facilitate transparent decision-making through the integration of public and institutional input.

This guide enhances the quality, consistency, and reliability of strategic environmental assessments by standardizing the review process and reinforces the role of SEA as a tool for environmentally sound policy and planning.

Table 2 Level of the approximation of the national legal framework

Legal Act	Transposes an EU act
Law No. 94/2007 on the Ecological Network	This Law partially transposes the provisions of Council Directive 92/43/EEC of May 21, 1992, on the conservation of natural habitats and wild fauna and flora, published in the Official Journal of the European Union L 206 of July 22, 1992.
Law No. 1515 /1993, on Environmental Protection	No
Law No. 1538/1998, on the Fund of State Protected Natural Areas	No ³⁶
Forestry code no 69/2024	No
Urban Planning and Construction Code no. 434/2023	No
Law no. 272/2011 on Water	Partially harmonized with key EU Directives, including those on urban wastewater treatment (91/271/EEC), nitrate pollution from agriculture (91/676/EEC), the Water Framework Directive (2000/60/EC), flood risk management (2007/60/EC), and environmental water quality standards (2008/105/EC).
Law no. 11/2017 on SEA	transpose the Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programs on the environment, published in the Official Journal of the European Communities L 197 of 21 July 2001, as well as the Protocol on Strategic Environmental Assessment to the Convention on Environmental Impact Assessment in a Transboundary Context, adopted in Kyiv (Ukraine) on 21 May 2003.
Law no. 86/2014 on EIA	transposes the provisions of 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 (codified version), published in the Official Journal of the European Union L 26 of 28 January

³⁶ Currently, the Ministry of Environment is developing the new Law on Nature Protection, which foresees the integration of the Emerald Network and its recognition as a protected area.

Legal Act	Transposes an EU act
	2012, as amended by Directive 2014/52/EU of 16 April 2014. It also incorporates the relevant provisions of Article 6(3) and (4) of Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora, as amended by Directive 2013/17/EU of 13 May 2013.
Law no. 149/2006 on fish stocks, fisheries and fish farming	No

Source: Developed by EcoContact

The analysis of Moldova's legal framework in relation to site identification and designation, site management, and monitoring and reporting reveals that the existing provisions for the Emerald Network offer a strong foundation for the country's gradual transition toward the Natura 2000 framework. Both systems rely on a common set of legal and institutional instruments, particularly core environmental and biodiversity laws, assessment procedures, and site governance tools. However, the Natura 2000 alignment framework introduces more stringent requirements, especially concerning the sufficiency of site designation, the legal approximation to EU Nature Directives, and the integration into EU-level reporting and planning structures. This highlights the need for further harmonization efforts to ensure full compliance with the Habitats and Birds Directives while building on the structural progress achieved through the Emerald Network implementation.

3.4.1. Management, monitoring, and reporting of Emerald Network

Before analysing Moldova's legal readiness to transition from the Emerald Network to the Natura 2000 framework, it is important to structure the existing legal provisions according to the three core pillars of protected area governance: **site identification and designation**, **site management**, and **monitoring and reporting**. This breakdown allows for a clearer visualization of current legal coverage, revealing both strengths and existing gaps. While a range of laws and regulations touch upon different aspects of Emerald Network implementation, it becomes evident that only a limited number of legal instruments, primarily Law No. 94/2007, address all three pillars in a cohesive manner. This highlights the need for more specific and comprehensive legal provisions to support a future Natura 2000-compatible framework.

Table 3 Legal framework for Emerald Network categorized by key pillars site identification and designation, site management, and monitoring and reporting

Legal act	Site Identification & Designation	Site Management	Monitoring & Reporting
Law No. 94/2007 on the Ecological Network	Provides the framework for designating areas of special conservation interest and integrating ecological connectivity	Establishes the management and protection regime for ecological network sites	Forms the legal basis for periodic reporting and management plan development

Legal act	Site Identification & Designation	Site Management	Monitoring & Reporting
Forestry Code No. 69/2024	Defines forest categories with conservation functions, including those overlapping with Emerald sites	Prioritizes conservation objectives in forest management; requires plans or conservation measures to override technical forestry norms	Supports site-level monitoring of forest status in protected areas
Law No. 1538/1998 on the Fund of State Protected Areas	Identifies nationally protected areas that overlap with Emerald sites	Applies protection regimes and restrictions against harmful activities	Reinforces legal protection and mandates reporting on protected area status
Law No. 149/2006 fish stocks, fisheries, and fish farming	Considers the impact of projects on aquatic biodiversity within or near Emerald areas	Requires biodiversity assessments for activities affecting aquatic systems	Supports monitoring of fish habitats and aquatic species relevant to Emerald conservation objectives
Law No. 1515/1993 on Environmental Protection	Provides general environmental protection provisions	Includes restoration and sustainable management principles	Offers a framework for general environmental monitoring and enforcement mechanisms
Law No. 272/2011 on Water	Integrates habitat and species protection zones, including Emerald-related wetlands	Ensures water quality and management standards support conservation	Registers protected zones in State Water Cadastre and river basin management plans
Urban Planning Code No. 434/2023	Requires screening of development activities near protected areas	Triggers biodiversity assessment procedures for construction near Emerald sites	Aligns land-use permitting with ecological protection needs and monitoring duties
Law No. 86/2014 on	Requires biodiversity assessment for	Guides inclusion of conservation conditions	Provides procedures for evaluating project-

Legal act	Site Identification & Designation	Site Management	Monitoring & Reporting
Environmental Impact Assessment	activities potentially affecting Emerald sites	in permitting and planning	level environmental impacts
Minister Order No. 80/2024 Guideline on developing the Management Plans for the Emerald Sites	-	Provides guidance for preparing and implementing site-specific management plans	Includes guidance on setting indicators and site-level monitoring mechanisms
Minister Orders No. 105/2024 (Biodiversity Assessment) and 150/2024 (EIA Quality)	-	Establish standards for conducting assessments to inform site management	Help ensure reporting quality and consistency across assessments

Source: Developed by EcoContact

This structured overview of Moldova’s legal framework demonstrates that while the foundation for Emerald Network implementation is broadly established, the coverage across the three core pillars, site identification and designation, site management, and monitoring and reporting is uneven and heavily reliant on a few central legal instruments. The limited presence of detailed, pillar-specific provisions highlights the need for targeted legal development to support Moldova’s gradual approximation to EU environmental standards. Against this backdrop, the following section provides an in-depth analysis of the legal readiness of the Republic of Moldova to undertake the transition from the Emerald Network to the Natura 2000 framework, identifying critical areas where legislative refinement, alignment, and institutional adaptation are required.

3.5. Legal Readiness of Moldova to transit from Emerald Network to Natura 2000

To **illustrate the extent** to which Moldova’s current legal and regulatory instruments support both the implementation of the Emerald Network and the alignment with Natura 2000 requirements, the following comparative matrix presents the relevant legal acts and policy documents. The matrix is structured around the three key pillars, **site identification and designation**, **site management**, and **monitoring and reporting** highlighting their applicability within both frameworks.

Table 4 Emerald Network vs. Natura 2000 Legal and Policy Frameworks

Pillar	Emerald Network – Current Legal/Policy Framework	Transition Value for Natura 2000 reflected in actual legal framework related to Emerald Network	Natura 2000 alignment requirements
Site identification and designation	<p>Law No. 94/2007 on Ecological Network: Defines ASCIs, ecological connectivity, and baseline designation regime.</p> <p>Law No 1538/1998 on the Fund of State Protected Areas: Categorizes protected areas, many of which overlap with Emerald sites.</p> <p>Law No 272/2011 on water: Protects habitats/species in water basin zones, aligns with Water Framework Directive.</p> <p>Urban Planning Code No 434/2023: Triggers biodiversity screening near protected sites.</p> <p>Law No. 86/2014 on EIA & Minister Orders 105/2024, 150/2024: Require biodiversity assessments.</p> <p>SEA Law No. 11/2017: Strategic plans screened for Emerald site impacts.</p>	<p>Law 94/2007 mirrors Articles 3–4 of Habitats Directive by requiring designation based on habitats and species.</p> <p>Screening/assessment practices anticipate Art. 6(3)(4) obligations.</p> <p>SDF usage and biogeographical input are already in practice under Bern Convention.</p>	<p>Formal biogeographical sufficiency assessment process required.</p> <p>Site selection must align with Annex I (habitats), II (species) of Habitats Directive and Annex I (Birds).</p> <p>Site boundaries and features must be integrated into Natura 2000 database and mapped (GIS).</p> <p>Direct legal transposition of EU definitions and procedural rules.</p>
Site Management	<p>Law No. 94/2007 on Ecological Network: Establishes legal management regime.</p> <p>Forestry Code No. 69/2024: Prioritizes</p>	<p>Order 80/2024 adopts Natura 2000-compatible methodologies for the elaboration of the management plans (stakeholder engagement, zoning,</p>	<p>Legally binding management plans must be adopted for each site.</p> <p>Must include objectives, threats, conservation measures, and regulatory</p>

Pillar	Emerald Network – Current Legal/Policy Framework	Transition Value for Natura 2000 reflected in actual legal framework related to Emerald Network	Natura 2000 alignment requirements
	<p>conservation in “Group I” forests; management must follow conservation plans.</p> <p>Law No. 1515/1993 on Environmental Protection: Environmental protection principles; public participation.</p> <p>Law No. 149/2006: Conservation obligations for aquatic ecosystems.</p> <p>Minister Order No. 80/2024: Official Guide on Management Plans (zoning, threats, objectives, indicators, participation).</p>	<p>measurable targets).</p> <p>Forestry Code creates precedence of conservation measures over sectoral uses.</p> <p>The management plan template aligns with requirements of Art. 6(1) of the Habitats Directive.</p>	<p>enforcement.</p> <p>Integration with national and EU biodiversity policy (e.g., CAP, Forestry Programme, Biodiversity Programme).</p> <p>Transparent public consultation required.</p>
Monitoring and Reporting	<p>Law No. 94/2007: Basis for reporting obligations.</p> <p>Law No. 1515/1993, Forestry Code: Monitoring of forest/aquatic ecosystems.</p> <p>Law No. 272/2011: Updates protected zones in Water Cadastre.</p> <p>Minister Orders 80/2024, 105/2024, 150/2024: Include indicators and procedures for biodiversity monitoring. Reports submitted to Bern Convention, based on SDFs.</p>	<p>National data collection through SDFs can be adapted for Article 17 and 12 reports.</p> <p>Institutional routines for monitoring exist but lack full coverage or EU-standard harmonization.</p> <p>Budget allocations and institutional mandates partially cover Emerald site oversight.</p>	<p>Full implementation of Article 11 (Habitats) and Article 12 (Birds) for regular species/habitat status updates. Submission of standardized reports to the EU (Article 17/12).</p> <p>Establishment of Natura 2000 Viewer-compatible GIS database.</p> <p>Ongoing adaptive monitoring and feedback into management measures.</p>

Source: Developed by EcoContact

The comparative analysis of Moldova's legal and policy framework reveals that while substantial progress has been made in establishing a national system aligned with the Emerald Network, several gaps remain in fully meeting the legal and procedural requirements of the EU Natura 2000 framework. Moldova's environmental governance is already supported by a solid core of legal instruments that provide for protected area designation, biodiversity assessment, site management, and stakeholder engagement. Many of these instruments reflect the core principles of the EU Birds and Habitats Directives and offer a strong basis for further development.

However, to ensure a smooth transition from Emerald to Natura 2000, Moldova must:

- Fully transpose the Habitats and Birds Directives into national legislation, ensuring that all relevant obligations including Natura 2000 site selection criteria, legal definitions, and Article 6 assessment processes are explicitly integrated and enforceable.
- Align existing laws with EU reporting requirements, such as Articles 17 (Habitats Directive) and 12 (Birds Directive), by creating dedicated mechanisms for data collection at both site level and biogeographical / national level, monitoring, and respective assessments on the status and trends of habitats and species (incl. Birds).
- Update and adapt management planning tools to comply with EU standards, including site-specific conservation objectives, participatory governance, and adaptive management frameworks.
- Enhance cross-sectoral integration, particularly between environmental, forestry, agricultural, and spatial planning policies, to support ecological connectivity and coherence.
- Strengthen institutional coordination and capacity, ensuring that all relevant authorities are prepared to implement and oversee EU obligations at national, biogeographical and Natura 2000 site levels.
- Secure sustainable funding, including preparing to access EU financial instruments and developing national co-financing mechanisms to support long-term conservation commitments.

By addressing these priority areas, Moldova can transform its Emerald Network achievements into a fully functional Natura 2000 framework, thereby advancing its EU integration objectives while securing lasting benefits for biodiversity and sustainable development.

4. Institutional framework on Emerald Network identification, designation, management, monitoring, and reporting

The institutional framework governing biodiversity conservation, ecological networks, and protected areas in the Republic of Moldova comprises a multi-tiered system of **central, regional, and local authorities**, each with clearly defined roles in policy development, regulatory enforcement, site management, and public engagement. This structure ensures the implementation of national and international obligations, including those related to the Emerald Network and, in the longer term, the Natura 2000 network. Coordination among institutions is guided by sector-specific laws and reinforced through inter-ministerial collaboration mechanisms. As Moldova progresses toward alignment with EU environmental legislation, strengthening institutional capacities and clarifying cross-sectoral responsibilities will be essential for the effective management, monitoring, and integration of protected areas into the broader European ecological network.

4.1. Roles and Responsibilities of Key Institutions

Ministry of Environment of the Republic of Moldova

The Ministry of Environment is the central competent authority for elaborating public policy documents on biodiversity conservation and management of the Emerald Network. Thus, according to Art. 5 of Law No. 94/2007, the MoE is competent to elaborate policy documents and normative acts on the designation and management of Emerald sites.

To carry out its tasks established by law, the MoE develops the National Program for the Establishment of the Ecological Network in cooperation with research institutions and local authorities.³⁷ This program defines the strategic objectives and measures necessary for expanding the national ecological network and its connection to the Pan-European Ecological Network. It also ensures the harmonization of national regulations and standards with international ones, thus supporting Moldova's integration into transboundary conservation initiatives.

Another important aspect of the ministry's work is the identification and designation of sites of special conservation interest, which are subsequently included in the Emerald Network. This involves selecting the sites based on the criteria laid down in the Bern Convention, monitoring the conservation degree of habitats and species, and drawing up management plans for these areas. These plans detail concrete conservation measures for species and habitats, and the ministry ensures their effective implementation by working with local authorities and communities.

International reporting is an essential part of the Ministry's work. According to Moldova's Law No. 94/2007 on the ecological network, the MoE must submit a national report on the state of conservation of natural habitats and species to the Secretariat of the Bern Convention every six years. However, specific information confirming the submission of such reports by Moldova is not readily available in the provided sources. While Moldova has participated in various conservation-related reporting activities, such as submitting national reports on invasive alien species under the Bern Convention³⁸, the available information does not confirm the

³⁷ National Program for the Establishment of the Ecological Network for 2011-2018, https://www.legis.md/cautare/getResults?doc_id=114335&lang=ro

³⁸ Council of Europe, 13th meeting of the Bern Convention Group of Experts on Invasive Alien Species, Strasbourg 20219, <https://rm.coe.int/analysis-of-national-reports-on-the-implementation-of-the-european-ias/168094f67d>

submission of conservation degree reports specifically to the Bern Convention Secretariat. Therefore, while the legal framework mandates these reports, the actual submission status remains unclear based on the current information.³⁹

Environment Agency

According to Article 5 of Law No. 94/2007, the Environment Agency has a defined but limited role in the governance of the Emerald Network. Its main responsibilities include monitoring the conservation degree of natural habitats and wild flora and fauna species within Emerald sites in cooperation with scientific institutions such as those under the State University of Moldova. Additionally, the Environment Agency maintains the official Register of Emerald Network Sites and contributes to the drafting and implementing management plans for these protected areas. Through these tasks, the Agency supports the operational and reporting functions of the Emerald Network framework and plays a supporting role in Moldova's gradual alignment with EU conservation standards.

Moldsilva Agency

The Moldsilva Agency also plays a critical role in developing national and local ecological networks. Its contributions focus on the afforestation of degraded lands, the regeneration of degraded tree stands within or intended for integration into the ecological network, and the restoration of areas designated for ecological rehabilitation. These actions are essential for expanding and maintaining the ecological integrity of areas that may fall under or support the Emerald Network, contributing to landscape-level conservation efforts. in the governance of the Emerald Network.

Institute for Research and Forest Management

The Institute for Research and Forest Management (ICAS) is another key institution involved in the governance of the Emerald Network. ICAS provides scientific support for forest biodiversity conservation, conducts ecological studies, and contributes to the planning and evaluating forest and protected area management. The institute supports elaborating management plans for forested Emerald sites, conducts field assessments, and collaborates in monitoring the conservation degree of species and habitats. Its expertise is particularly valuable in aligning technical forest management practices with biodiversity objectives and in generating the scientific data needed for evidence-based policymaking and international reporting, in developing the national and local ecological networks. Its contributions focus on the afforestation of degraded lands, the regeneration of degraded tree stands within or intended for integration into the ecological network, and the restoration of areas designated for ecological rehabilitation. These actions are essential for expanding and maintaining the ecological integrity of areas that may fall under or support the Emerald Network, contributing to landscape-level conservation efforts. in the governance of the Emerald Network.

State Environmental Inspectorate

The State Environmental Inspectorate (SEI) also plays an important role in the Emerald Network governance structure by overseeing compliance with environmental laws and conservation regulations. It is tasked with conducting inspections and enforcement actions related to activities that may impact protected areas, including Emerald sites.

Local public authorities

³⁹ Bern Convention, Biennial Reports, <https://www.coe.int/en/web/bern-convention/biennial-reports>

According to Article 7 of Law 94/2007, local public authorities play a key role in the establishment and management of Emerald sites. They can create local ecological networks using land owned by the administrative-territorial units or private land, with the owners' consent. The local authorities are also responsible for co-financing local ecological network activities, subject to the funds available in local budgets. They also support national and international institutions for the assessment and categorization of national and local ecological network elements, as well as the allocation of land for their creation and restoration and the marking of their boundaries on cadastral maps and in the field.

Other related public authorities

Other public authorities, such as the Ministry of Agriculture and Food Industry, the Ministry of Infrastructure and Regional Development, and the Land Relations and Cadastre Agency, are responsible for providing the necessary information and documentation for the establishment of local and national ecological networks, as well as for cooperating with those involved in their creation and management.

4.1.1. Institutional arrangement on management, monitoring, and reporting of Emerald Sites

Law No. 94/2007 is the basic act regulating the management of Emerald sites, their designation, and the requirements for elaborating management plans, monitoring, and reporting on their status. In this respect, the above-mentioned legal act reflects the procedural framework for the designation of sites and their approval by the Bern Convention Secretariat.

The Emerald Network, aimed at conserving natural habitats and species of wild flora and fauna protected at the European level on the territory of the Republic of Moldova, is set up by identifying and selecting sites based on scientific research carried out by specialists in biology ecology, and geography, in cooperation with the Environment Agency and in accordance with the criteria laid down by the Bern Convention.

Along the same line, the legal provisions stipulate that the proposal for the designation of a territory as an Emerald Network site is drawn up by the Environment Agency based on an assessment report approved by the Ministry of the Environment and according to the criteria laid down by the Bern Convention. The criteria include the conservation of endangered species and endemic species, the protection of endangered habitats, or the importance of a territory for migratory species. After evaluation, the Ministry of Environment sends the final list of sites to the Standing Committee of the Convention for approval. The site is then processed and registered by the Bern Convention Secretariat. Land allocated to Emerald sites also remains the owners' property, who must ensure their protection according to management plans.

The Environment Agency manages the Emerald Network Sites Register, which follows the format set out in the Bern Convention's standardized fact sheet. The information in the register is public, except for restricted access, and can be consulted free of charge on the Environment Agency's official website.

Art. 12⁴ of Law 94/2007 establishes that MoE is responsible for elaborating and approving the management plans for the Emerald network sites within 10 years of establishing the network. In drawing up these plans, the requirements of the Guidelines for the preparation of management plans for Emerald sites, approved by order of the Minister, are to be followed. The plans cover a single site or several sites that are geographically linked or have similar natural features. If the site is located in or is part of the State Protected Natural Areas Fund, the management of the site is carried out in accordance with Law No. 1538/1998 on the State

Protected Natural Areas Fund. If the territory is located within the forest fund, regardless of the form of ownership, the projects for the organization and development of forestry shall include provisions for the management of Emerald Network sites.

The management plan should include detailed information, such as the description of the territory and inventory of natural habitats and wild flora and fauna species, conservation objectives for the species and their habitats considering economic, social, and cultural conditions, as well as the assessment and measures necessary to achieve the conservation objectives. It should also incorporate habitat and species management strategies, detailed action plans with information on planned activities, the resources required and the timeframe for implementation, indicators to assess progress, and measures to monitor conservation degree. The mapping materials will complement the management plan documentation.

The management plans will be subject to public consultation, subsequently approved by the Ministry of Environment, and published in the Official Gazette of the Republic of Moldova. These plans are submitted to landowners for their knowledge and compliance with conservation requirements. The funding necessary for the definition and conservation of Emerald sites, as well as for the implementation of other measures essential for the creation and functioning of this network, is provided from the state budget and other sources in accordance with the legal provision.

The activities carried out on the territory of the Emerald Network shall comply with the legal requirements for the protection and conservation of the sites in accordance with the measures set out in the Management Plan and/or environmental permitting acts.

The State Environmental Inspectorate is responsible for supervising compliance with measures for the conservation of natural habitats and wild species of flora and fauna in accordance with the provisions of the Emerald Site Management Plan.

In relation to policy and planning documents and intended activities that may significantly affect Emerald sites, these must be subject to biodiversity assessment in accordance with national legislation. These assessments are carried out in accordance with Law No. 11/2017 on Strategic Environmental Assessment and Law No. 86/2014 on Environmental Impact Assessment. If the assessment finds a significant adverse impact on the conservation objectives of the Emerald Network, the competent authority allows the implementation of the policy document or planned activity only if imperative reasons of overriding public interest, such as social or economic reasons, are present. In such cases, compensatory measures will be established to protect the integrity and functioning of the Emerald network. In situations where the site supports a priority natural habitat or priority species, derogation will only be granted on the basis of considerations of public health and safety or significant environmental benefit.

Monitoring of the conservation degree of natural habitats and wildlife species in the Emerald network is carried out according to a standard monitoring plan. The conservation degree of a habitat is considered 'adequate' if its range is stable or increasing and its structure and functions are suitable for long-term maintenance with a high likelihood of being maintained in the future. The typical species of the habitat must also be in a favourable conservation degree. Monitoring is carried out by the Environment Agency in cooperation with scientific research institutions and coordinated by the Ministry of the Environment. Educational and scientific institutions monitor certain types of habitats and species independently but must inform the Environment Agency. The Environment Agency must provide the Ministry of the Environment annually with data on the conservation degree of habitats and species in the Emerald Network.

Based on the monitoring results, the Ministry of the Environment submits the National Report on the conservation degree of natural habitats and species of wild flora and fauna to the Bern Convention Secretariat every six years.

The extraction of the species referred to in the lists of flora and fauna species of European interest, as well as birds of European interest, indicated in Annexes 2-4 of Law 94/2007, is permitted under certain conditions, such as for public health and safety, environmental protection, air safety, prevention of damage in agriculture, forestry or aquaculture, as well as for educational, research and species repopulation purposes. The retrieval of plant or animal species for educational or research purposes is undertaken based on authorizations issued by the Environment Agency in cooperation with competent institutions. The capture or killing of species included in the Annexes is allowed only under derogation conditions, and the use of methods and means of capture or killing, such as snares, explosives, poison, or traps, is strictly prohibited for mammals, birds, fish, and rare insects.

In conclusion, the management and protection of the Emerald network sites are regulated by a set of legal and procedural measures indicated in Law 94/2007. Any activity of extraction or intervention on them is allowed, under the conditions of the law, only under specific circumstances and with authorization, in order to prevent negative effects on biodiversity. At the same time, any planned activity that ~~may~~ affect the Emerald network must be assessed to ensure that there will be no significant impacts on the conservation objectives. Current regulations partially ensure adequate conservation and responsible management of natural resources.

5. Overview of transitioning Emerald to Natura 2000 - EU Nature Directives' provisions and Republic of Moldova's correspondence analysis

5.1. Introduction

Based on the conclusions and recommendations derived from D.3.1 analyses, a set of necessary corrective/amendment actions are critical in order to improve the degree of completion, soundness, and compliance of the current database with the guidelines for the Emerald network. Such actions may include (under T3.2):

- A. Biogeographical seminars reply towards improving the Republic of Moldova's sufficiency index⁴⁰ such as Emerald database corrections/amendments based on the seminar suggestions,
- B. Other amendments, beyond those indicated by the Biogeographical seminars, such as taxonomical changes, changes in population sizes or in the conservation degree assessments etc.,
- C. Correcting "technical "errors" at the completion of the Emerald's database SDFs (tables habitats, species, other species) to improve reporting quality and
- D. Aligning included information in the Emerald database with the Natura 2000 context lists, i.e. use of new codes for pressures and threats (table impacts).

After completing revision and corrective/amendment actions on the existing Emerald Network database, the Republic of Moldova should also start preparing the transformation to Natura 2000 and respective national law harmonization with the Habitats and Birds Directives.

The Habitats and Birds Directives are the cornerstones of the EU's biodiversity policy. Biodiversity protection is at the heart of European nature conservation efforts. They enable all EU Member States to work together, within a common legislative framework, to conserve Europe's most endangered and valuable habitats and species across their entire natural range within the EU, irrespective of political or administrative boundaries.

Transitioning Emerald to Natura 2000 Network during an EU accession negotiation process requires the fulfillment of several key conservation aspects⁴¹, such as A) the full transposition of the Habitats and Birds Directives, B) Developing and demonstrating management, enforcement, and monitoring capacity, C) the Expected high level of sufficiency of the proposed Natura 2000 Network, and D) Sufficiency evaluation of the proposals for sites to take place prior to EU accession (submission to Commission 1,5 to 2 years before accession).

It is important to note, as was also acknowledged during the second consultation and project meeting held in Chisinau in April 2025, that the site designation procedure for a new Member State must be carefully designed and fully transparent, ensuring broad stakeholder involvement at all levels. This process must be completed prior to EU accession, as the removal of any Site of Community Importance following accession is not acceptable. Such a situation could lead to a lengthy and politically sensitive process at the EU level and may jeopardize the credibility and legal soundness of the entire network designation effort.

⁴⁰ Conclusions lead to a 24.1% Sufficiency Index, ranking REPUBLIC OF MOLDOVA as the fourth country, among non-EU countries, after Armenia (68.7%), Ukraine (40.0%) and Georgia (30.8%).

⁴¹ Transitioning from the Emerald Network to Natura 2000, <https://www.eu4environment.org/app/uploads/2024/01/Transitioning-from-the-Emerald-Network-to-Natura-2000-1.pdf>

In response to the above, a preliminary coherence analysis has been conducted below to briefly present the EU Nature Directives' provisions and also identify irregularities between the Emerald and the Natura 2000 Networks, for which the Republic of Moldova should be prepared. Also, a brief analysis is also provided regarding the correspondence of the current (and planned) framework of the Republic of Moldova towards the alignment with and implementation of the EU Nature Directives.

5.2. EU Habitats and Birds Directives – An outline

The Habitats Directive (HD) – Overview

The Habitats Directive (Council Directive 92/43/EEC)⁴² (last updated 2013)⁴³ was adopted in 1992, thirteen years after the Birds Directive. It aims to ensure biodiversity through the conservation of natural habitats and of wild fauna and flora in the European territory of the Member States.

It introduces, for the first time, the concept of a coherent European ecological network of special areas of conservation under the title Natura 2000. This network is set up to protect natural habitat types (Annex I of HD) and habitats of the species (Annex II of HD), and to enable their conservation or restoration at a favourable conservation degree within their natural range.

Specifically, the Habitats Directive requires all Member States to designate, protect, and manage Natura 2000 sites for habitat types listed in Annex I and species listed in Annex II, that occur in their territory. These sites are selected on scientific grounds using the criteria laid down in Annex III of the Directive. Each Member State first proposes a national list of important sites to be protected for those species and habitats present on their territory, i.e., Sites of Community Importance (SCIs), designated as Special Areas of Conservation (SAC) as part of the Natura 2000 Network.

Also, Member States must establish a strict protection regime for all species listed in Annex IV, both inside and outside Natura 2000 sites, and should also take measures, where necessary, to ensure that the taking or exploitation of specimens of species listed in Annex V is compatible with their being maintained at a favorable conservation degree.

The Birds Directive (BD) – Overview

The Birds Directive (Directive 79/409/EEC)⁴⁴ was adopted in 1979. It is one of the first pieces of environmental legislation to be adopted by the EU. It was amended in 2009 (Directive 2009/147/EC). It aims at the conservation of all species of naturally occurring birds in the wild state in the European territory of the Member States and also covers the protection, management and control of these species and lays down rules for their exploitation.

It requires that Member states take special conservation measures concerning the habitats of all Annex I species (in the BD) and regularly occurring migratory species (not listed in Annex I) to ensure their survival and reproduction in their area of distribution. Also, set hunting restriction regarding species listed in Annex II (of the BD) in order not to jeopardise their conservation efforts in their distribution area.

⁴² Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora, https://environment.ec.europa.eu/topics/nature-and-biodiversity/habitats-directive_en

⁴³ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora, 2013, <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:01992L0043-20130701>

⁴⁴ Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds, https://environment.ec.europa.eu/topics/nature-and-biodiversity/birds-directive_en

The SPAs classified by the Member States pursuant to Directive 79/409/EEC, as amended with 2009/147/EC, are also included in the Natura 2000 network includes.

Key items and requirements of Habitats and Birds Directives⁴⁵

The EU Habitats and Birds Directives require the Member States to implement three main sets of provisions:

1. The first set requires the designation of core sites for the protection of habitat types and species listed in Annex I⁴⁶ and II⁴⁷ of the HD, respectively, and Annex I of the BD, as well as for migratory birds. Together, these designated sites, i.e., SACs under the HD and SPAs under the BD, form the coherent ecological network of natural sites known as the European Natura 2000 Network.
2. The second set requires Member States to establish a strict protection regime for all endangered species listed in Annex IV of the HD, and the wild European bird species, both inside and outside Natura 2000 sites. Also, restrictions in what regards exploitation in the wild, hunting etc, are applied to Annex V species of the HD and to Annex II species of the BD.

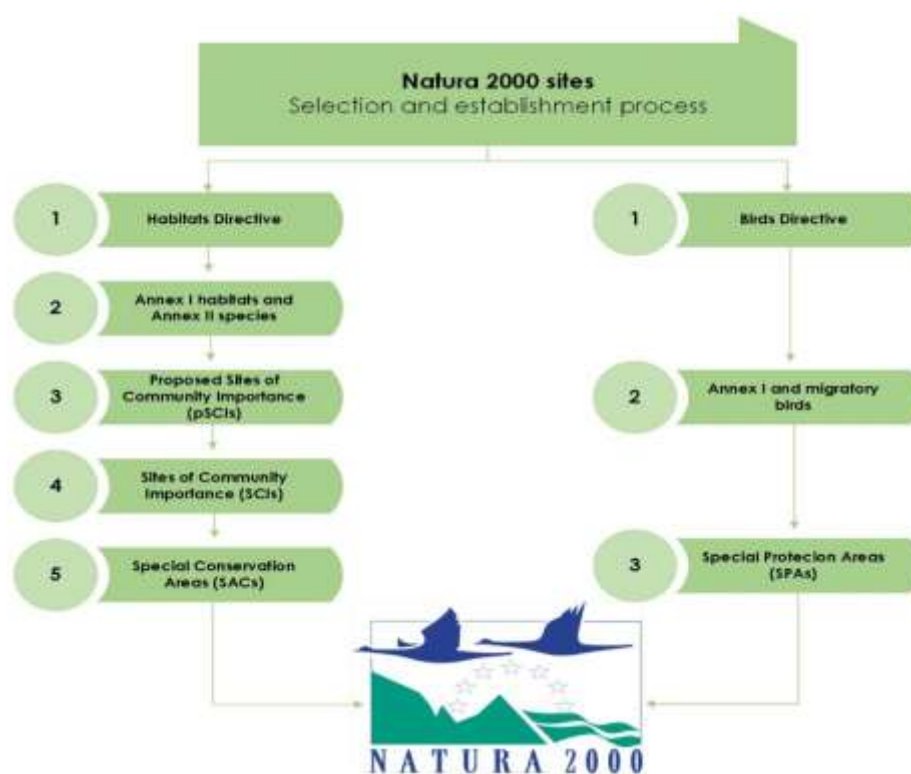


Figure 2 Selection and establishment of Natura 2000 sites⁴⁸

⁴⁵ European Commission: Directorate-General for Environment and Sundseth, K., The EU birds and habitats directives – For nature and people in Europe, Publications Office, 2015, <https://data.europa.eu/doi/10.2779/49288>

⁴⁶ Annex I - Natural habitat types of community interest whose conservation requires the designation of special areas of conservation.

⁴⁷ Annex II - Animal and plant species of community interest whose conservation requires the designation of special areas of conservation.

⁴⁸ NATURA 2000 – AN OVERVIEW, Stefan KREFT, Cumhur GÜNGÖROĞLU, 2018. https://www.researchgate.net/publication/330244508_Natura_2000_-_An_Overview?enrichId=rgreq-17e557fec06e5548074fce81b28596fd-XXX&enrichSource=Y292ZXJQYWdlOzMzMDI0NDUwODtBUzo3MTMxMDA1Mzc5MTMzNTBAMTU0NzAyNzgyNTc5Mg%3D%3D&el=1_x_2&esc=publicationCoverPdf

3. The third set is that Member States must ensure that in all Natura 2000 sites: A) Damaging activities that could significantly disturb the species or degrade the habitats for which the site is designated are avoided, B) Positive conservation measures are implemented, where needed, to preserve and restore the species present and their habitats, while considering the economic, social, and cultural needs, as well as the regional and local characteristics of the area involved.

There is also an obligatory permitting procedure for any plans or projects that are likely to significantly affect one or more Natura 2000 sites, either individually or in combination with other plans and projects.

As described above, Annex I and II of the Habitats Directive (HD) and the Birds Directive (BD) are central components of EU conservation legislation, specifically focusing on the protection of habitats and species, including migratory birds. However, several specific articles within these Directives go beyond listing species and habitats, by laying out strict protection regimes (Fig. 3).

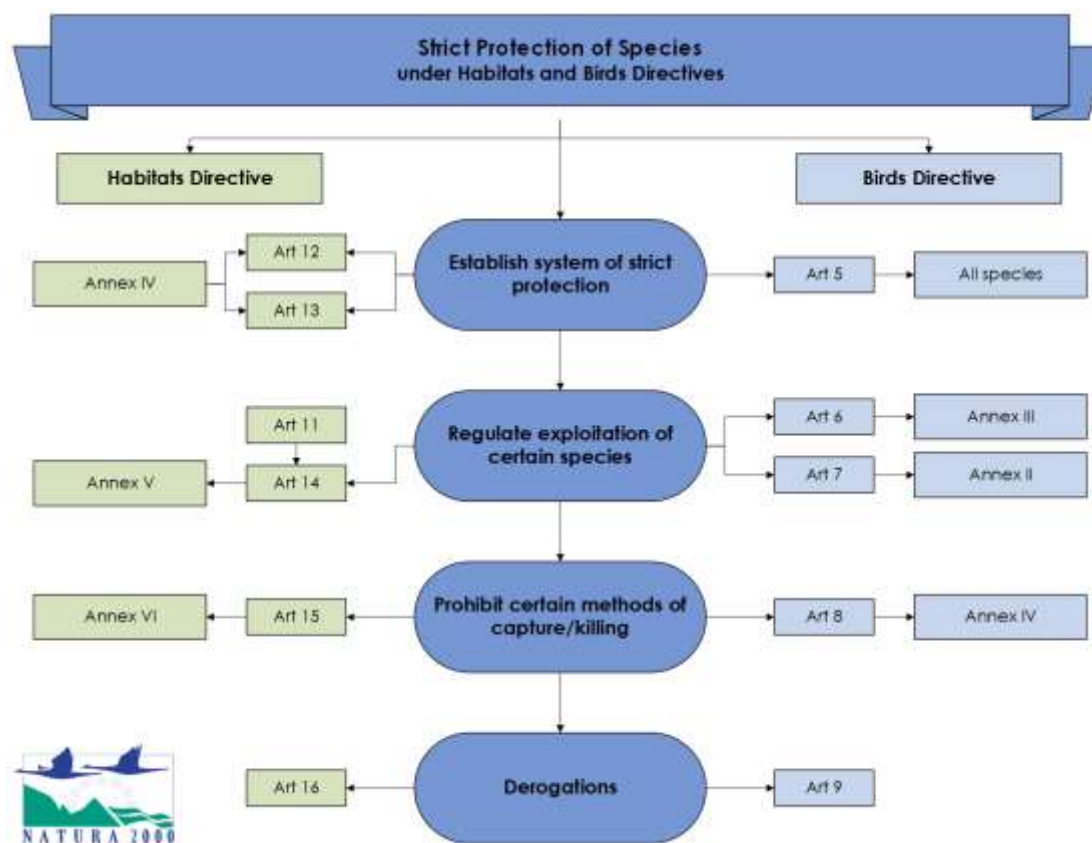


Figure 3 B and H Directives Articles for strict protection of species⁴⁹

To evaluate whether the measures are achieving the objectives, Member States monitor progress and report every six years to the European Commission on the status of species and habitats of European Interest within their country (Articles 17 of HD and 17 of BD). The European Commission then compiles the information to determine the overall conservation status for each species and habitat across the EU and to assess whether they have reached, or

⁴⁹ JASPERS Networking Platform - Seminar on nature protection Species protection under Article 5 of Birds Directive and Article 12 of Habitats Directive Fotios Papoulias European Commission, DG Environment, Nature Unit, 2014

are on track to reach, a “favourable conservation status”. Regarding birds in particular, their status is assessed using population and breeding distribution trends. The results are published in the “State of Nature in the European Union” report⁵⁰, on the status and trends of species and habitat types protected by the Birds and Habitats Directives. The next report, due in 2025, will cover the period 2019-2024.

Finally, under specific conditions, Member States may derogate (grant exceptions) from the provisions of species and habitat protection (Articles 9 and 16 of the B and H Directive).

Site designation - Articles 3, 4 of the BD and Articles 3, 4 of the HD

Under the Habitats Directive, each Member State first identifies and proposes for the protection of important locations for those species and habitats present on their territory. The European Commission, with the assistance of Member States, the European Environment Agency, and scientific experts, then select SCIs. If the national list is determined to be insufficient, Member States are requested to propose further sites in order to complete the network.

Once selected, the proposed SCIs (pSCIs) become part of the Natura 2000 Network. The European Commission, in conjunction with the Member States, adopts a list of SCIs for each biogeographical region, which then becomes part of the network (Article 4-2 of the Habitats Directive). Assessment of the pSCIs in both stages is conducted in accordance with the criteria set out in Annex III⁵¹ of the Habitats Directive. After the lists are finalized, Member States must amend their national legislation to place their respective sites under protection as SACs within a period of six years, i.e., designate them and introduce the necessary management measures to maintain or restore the species and habitats present to a good condition.

Site selection under the Birds Directive, SPAs, are classified by the Member States and, after evaluation, included directly into the Natura 2000 Network.

Collectively, these sites are often called “Natura 2000 sites” and now form the largest coordinated network of protected areas in the world.

Managing Natura 2000 sites - Article 6.1, 6.2 of the HD

In all Natura 2000 sites:

- Damaging activities that could significantly disturb the species or degrade the habitats for which the site is designated must be avoided. Additionally:
- Where necessary, positive conservation measures must be implemented to maintain and restore the habitats and species present while considering the area's economic, social, and cultural needs, as well as its regional and local characteristics.

For each Natura 2000 site, conservation objectives and measures must be established based on the ecological needs of the species and habitats of EU interest present.

This will determine the type of management required to maintain and/or restore the site to a good state of conservation. Although not obligatory, the Habitats Directive strongly recommends the use of Natura 2000 management plans to set objectives and measures openly and transparently.

⁵⁰ 3rd reporting cycle for the period 2013–2018. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2020:635:FIN>

⁵¹ Annex III - Criteria for selecting sites eligible for identification as sites of community importance and designation as special areas of conservation, STAGE 1: Assessment at **national level** of the relative importance of sites for each natural habitat type in Annex I and each species in Annex II (including priority natural habitat types and priority species), STAGE 2: Assessment of the Community importance **of the sites** included on the national lists

Natura 2000 permits – Article 6.2, 6.3 of the HD

Regarding new developments, projects and works in and around Natura 2000 sites, Article 6 of the Habitats Directive establishes a permitting procedure for any plans or projects that are likely to significantly affect one or more sites, either individually or in combination with other plans and projects. Projects that could potentially have negative effects must undergo an appropriate assessment to determine the precise nature and extent of the potential impacts on the present species and habitats of EU importance. The competent national authorities then decide whether or not to approve the plan or project. Exceptions may, however, be possible for certain plans or projects.

Local community role and sustainable development

The Habitats and Birds Directives introduce a modern, flexible, and inclusive approach to site conservation, recognizing that humans are a vital part of nature and that both collaborate best. In this way, it encourages everyone to contribute to the success of Natura 2000, including public authorities, private landowners and users, developers, environmental NGOs, scientific experts, local communities, or individual members of the public. This approach aims not to exclude socio-economic activities from Natura 2000 sites but rather to find ways to ensure these activities are carried out in a way that also safeguards and supports the valuable species and habitats present and maintains the overall health of natural ecosystems for the benefit of society.

Monitoring - Article 11 of the H Directive

Member States shall undertake surveillance/monitoring of the conservation status of the natural habitats and species referred to in Article 2 of the HD with particular regard to priority natural habitat types and priority species.

Reporting on monitoring – Articles 17 (HD) and 12 (BD)

The competent national authorities should, every 6 years, prepare and submit a national report according to Articles 17 and 12 of the HD and BD. The reporting forms for all species and habitat types of Community interest (including birds) should be made available for public consultation before submission so that every interested party can contribute to the report.

Operating a permanent national system for monitoring species and habitat types and developing a common monitoring framework for reporting according to EU Directives certainly contributes to the drafting of reports according to Directives 92/43 and 2009/147.

Co-financing reporting - Article 8 of the HD

Article 8 (1) of the Habitats Directive requires Member States to submit, as appropriate, to the Commission their estimates relating to the European Union co-financing, which they consider necessary to meet their following obligations in relation to Natura 2000. Prioritized action frameworks are strategic multiannual planning tools, drafted by each Member state for a programming period (e.g. 2013-2020, 2021-2027) and aim at providing a comprehensive overview of the measures (e.g., Priority measures) that are needed to be implement in the Natura Network.

Commission tools for practical implementation of the HD and BD by the Member States

Action Plans

Since 2008, the Commission has supported the development of several Species Action Plans⁵² for selected species listed in the Habitats Directive. Also, the European Bird Species Action Plans⁵³ for over 60 of the most threatened species listed in Annex I of the Birds Directive. The plans are designed to help Member States fulfil their obligation to restore and maintain populations to good conservation status. The plans provide information about each species' status, ecology, threats, and current conservation measures and list key actions to improve their conservation status in Europe.

Red lists

Every ten years, Birdlife International assesses the regional extinction risk of all 544 species of birds occurring regularly and naturally in Europe (54 countries). As part of the latest European Red list update in 2021⁵⁴, Birdlife International also assessed the population trends of birds in the EU (27 Member States plus UK) based on the Member States reports under Article 12 of the Birds Directive.



Regarding the threatened species, the European Red List of Species⁵⁵ developed by IUCN provides a scientific review of the conservation status of around 11,000 European species. In addition, the European Red List of Habitats reviews the current status of all-natural and semi-natural marine⁵⁶ and terrestrial and freshwater habitats⁵⁷ and highlights the pressures they face. Over 230 terrestrial and freshwater habitats were assessed. The assessment uses a modified version of the IUCN Red List of Ecosystems categories and criteria. The Red List covers a much wider set of habitats than those legally protected under the Habitats Directive. Therefore, it complements the data collected on Annex I habitat types through Article 17 reporting.

Interpretation manuals

An interpretation manual of European Union Habitats listed under Annex I of the Habitats Directive provides a common definition and description (in terms of structure, including also typical species) of Annex I habitat types, distributed across all Member States⁵⁸.

Other guidance documents

In October 2021, the Commission adopted a guidance document⁵⁹ providing legal interpretation and clarifications on Articles 12 and 16 of the H Directive. The document also includes information, advice, and good practices to help national authorities address conflicts between strictly protected species and human activities.

⁵² European Habitat Action Plans, <https://circabc.europa.eu/ui/group/3f466d71-92a7-49eb-9c63-6cb0fadf29dc/library/4e136468-8989-4e45-b2d7-db4ddee65dff>

⁵³ European Bird Species Action Plans, <https://circabc.europa.eu/ui/group/3f466d71-92a7-49eb-9c63-6cb0fadf29dc/library/882eeeb3-86e9-4944-adbe-edf7001c5eb1?p=1>

⁵⁴ European Red List of Birds, 2021. <https://www.birdlife.org/wp-content/uploads/2022/05/BirdLife-European-Red-List-of-Birds-2021.pdf>

⁵⁵ European Red List publications, https://environment.ec.europa.eu/topics/nature-and-biodiversity/european-red-list-threatened-species_en

⁵⁶ European Red List of habitats. Part 1, Marine habitats, 2016. <https://op.europa.eu/en/publication-detail/-/publication/e9a7b255-c501-11e7-9b01-01aa75ed71a1/language-en>

⁵⁷ European Red List of habitats. Part 2, Terrestrial and freshwater habitats, 2016. <https://op.europa.eu/en/publication-detail/-/publication/22542b64-c501-11e7-9b01-01aa75ed71a1/language-en>

⁵⁸ Interpretation manual of EU Union Habitats, 2023. <https://circabc.europa.eu/ui/group/3f466d71-92a7-49eb-9c63-6cb0fadf29dc/library/37d9e6d9-b7de-42ce-b789-622e9741b68f/details>

⁵⁹ Commission notice Guidance document on the strict protection of animal species of Community interest under the Habitats Directive, 2021. <https://op.europa.eu/en/publication-detail/-/publication/a17dbc76-2b51-11ec-bd8e-01aa75ed71a1/language-en>

A recent EU publication in 2019⁶⁰ is also a valuable source that intends to assist Member State authorities, as well as anyone involved in the management of Natura 2000 sites and in the Article 6 permit procedure, in applying the Habitat Directive.

The Commission has also launched a new Action Plan⁶¹ in 2017 to rapidly improve the practical implementation of the Habitats and Birds Directives.

Court of Justice of the European Union (CJEU)

The interpretations provided by the Commission cannot go beyond the Directive. Only the CJEU can authoritatively interpret Union law, ensures the uniform application and interpretation of EU law and has issued an important number of Rulings on the Birds and Habitats Directives. In any case, the Member States are free to choose the appropriate way they wish to implement the practical measures provided the latter achieve the results of the Directive.

5.3. Assessment of Moldova's Legal and Institutional Compliance with the EU Habitats and Birds Directives

The Republic of Moldova has committed to aligning its national environmental legislation with the European Union acquis, especially in light of the Association Agreement and its EU accession aspirations. A key priority is the conservation of biodiversity and natural habitats, governed by two foundational directives—the Habitats Directive (92/43/EEC) and the Birds Directive (2009/147/EC).

This subchapter provides a focused analysis of Moldova's progress in aligning its legal framework with these directives. It assesses the current level of transposition, highlights legislative gaps, and identifies priority actions needed to ensure full compliance. The analysis situates Moldova's efforts within the broader context of international commitments—such as the Bern Convention and the Emerald Network—while examining the necessary steps toward establishing an equivalent Natura 2000 regime.

The research adopts a multidisciplinary approach, combining legal analysis, institutional review, and policy evaluation. First, a comparative assessment was conducted to map the provisions of Directives 92/43/EEC and 2009/147/EC against Moldova's national legal framework. Each article and annex were classified as fully, partially, or not transposed, following the European Commission's methodology.

5.3.1. Degree of transposition of Directive 92/43/EEC (Habitats Directive)

The Habitats Directive (92/43/EEC) contains both general provisions (purpose, definitions, obligations of States) and annexes listing natural habitat types of Community interest (Annex I), species of Community interest requiring the designation of protected areas (Annex II), site selection criteria (Annex III), strictly protected species (Annex IV), species of Community interest which may be subject to management measures (Annex V) and prohibited means of capture/killing (Annex VI). In the process of harmonization, the Republic of Moldova has

⁶⁰ Managing Natura 2000 sites. The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC, 2019, <https://data.europa.eu/doi/10.2779/02245>

⁶¹ An action plan for nature, people and the economy. The EU Habitats and Birds Directives, 2017. <https://op.europa.eu/en/publication-detail/-/publication/58d58aa7-5c78-11e7-954d-01aa75ed71a1/language-en/format-PDF/source-280198916>

gradually taken over these concepts in its legislation, but the degree of transposition varies from one article to another.

According to the analysis of the national legislative documents, it was found that the following provisions of the Habitats Directive are already transposed into the legislation of the Republic of Moldova: Articles 2, 3, 4, 6, 7, 10, 11, 12, 13, 14, 15, 18 and 22 and Annexes III and VI of the Directive. However, there are also elements of Directive 92/43/EEC which have not yet been transposed into national law: 5,7,8,9,17(2), 19, 20, 21, 23, 24. Among the above categories are partially transposed provisions i.e., matters regulated only in part or in a form incomplete to the requirements of the Directive. These include Article 1 (definitions and terms for example, the definition of 'special areas of conservation' or 'favorable conservation status' may require further clarification in national legislation), Article 16 (conditions for derogation from protection measures, Moldova has taken over a large part of the conditions for derogation in Law 94/2007, Article 129(1)(a-f), but the procedure for authorization and reporting of derogations must be fully ensured), Article 17 (periodic reporting at 6 years, at the moment, Moldova reports the status of habitats and species to the Bern Convention also at 6 years, but not in the format required by the European Commission, this requirement to be adapted to the EU accession format). Annexes I, II (a, b), IV (a, b), and V (a, b) of the Habitats Directive are also considered to be only partially transposed. Specifically, Annex II (species for which protected areas are declared) is partly overtaken by the list of Emerald species in Resolution 6/1998 adopted by Moldova – 154 species (14 plants and 140 animals) selected for the Emerald network. However, some species of Annex II of the Directive that are incidentally present in Moldova may not yet be included in the national lists (gaps that will be addressed when updating the Emerald/Natura 2000 lists). Annex IV (species of Community interest requiring strict protection) is partially covered by the Red Book of the Republic of Moldova (3rd edition) and the lists of species protected by Annexes 2 and 3 to Law No 94/2007. However, the Directive requires the protection of all specimens of Annex IV species, not just endangered populations. National legislation currently strictly protects, in particular, rare and vulnerable species but does not pay the same attention to relatively common species, even those included in Annex IV of the European Union. Relevant examples of this are certain species of bats and amphibians, which could benefit from a stricter legal status. Annex V, which regulates species that can be harvested under specific conditions, includes species such as some amphibians, reptiles and medicinal plants. However, their sustainable use regime is not fully regulated. Although there are provisions in Law No 94/2007 and in various sectoral legislation relating to the conditions for authorized harvesting of certain wild plant and animal species, the current legislative framework does not fully meet the requirements imposed by the European Directive, such as the need for continuous monitoring of the sustainability of harvests. The partial transposition of Annexes I (concerning habitat types) and III (concerning selection criteria) was achieved by including in Law No 94/2007 the lists of natural habitats drawn up in accordance with Resolution No 4 of the Bern Convention.

In conclusion, the transposition of the Habitats Directive in the Republic of Moldova is substantial but incomplete. While many of the essential elements (such as establishing the network of sites, conservation measures, strict protection of species, and prohibition of destructive means) are already regulated in national legislation, significant gaps remain in the full procedural implementation. These include the lack of a national reporting mechanism under Article 17 in the EU, the absence of a framework dedicated to updating the lists of species and habitats on the basis of new scientific data (a matter covered by Article 19), and the lack of exhaustive coverage of all species concerned, such as ensuring legal protection for common species listed in Annex IV EU, not just rare ones. The recommendations chapter will look at how to fill these legislative gaps.

To assess the overall state of alignment, each article and annex of the Habitats Directive was evaluated according to the European Commission's classification methodology, **fully transposed, partially transposed, or not transposed**, with reference to Moldova's current legal and institutional framework. The following summary table presents the degree of transposition along with short justifications for each provision.

Table 5 Transposition scorecard of the Habitats Directive (92/43/EEC)

Status	Articles/Annexes	Key notes
Fully transposed	Art. 2, 3, 4, 6, 7, 10, 11, 12–15, 18, 22 Annex III, VI	Core concepts, conservation measures, site designation, species protection and surveillance are reflected in national law.
Partially transposed	Art. 1, 16, 17 Annex I, II, IV, V	Definitions (e.g., SAC, FCS) require refinement; derogation procedures and reporting formats not fully aligned with EU; habitat/species lists not fully updated; protection of some Annex IV/V species incomplete.
Not transposed	Art. 5, 8, 9, 19–21, 23, 24	Co-financing, scientific updates, and EU-level procedures missing; provisions dependent on post-accession mechanisms.

Source: Developed by EcoContact

5.3.2. Degree of transposition of Directive 2009/147/EC (Birds Directive)

The Birds Directive (2009/147/EC), the EU's main instrument for the conservation of wild birds, is more concise than other directives but no less complex. It consists of 20 articles and several annexes: Annex I includes strictly protected bird species, which require the designation of SPAs (Bird Protection Sites); Annex II lists huntable species (part A at EU level and part B only in certain countries), Annex III lists marketable species, and Annexes IV and V regulate prohibited hunting and legislative correlations, after amendments. The assessment of the degree of transposition of this Directive in the Republic of Moldova shows a still incomplete picture, given that the country is not an EU Member State and has only recently adapted its legislative framework for protecting avifauna and hunting management.

According to the analyses carried out, the following provisions of the Birds Directive (2009/147/EC) have now been fully transposed into national law: Articles 1, 3, 4, and 8. The national legislative framework acknowledges the applicability of the Birds Directive to all naturally occurring wild bird species in the European territory, as set out in Article 1. Additionally, it reflects the overarching objective of Article 2, namely, to maintain or adapt bird populations to levels that are ecologically, scientifically, and culturally appropriate. Although Article 2 does not explicitly require formal transposition due to its general nature, its intent is incorporated through national measures aimed at ensuring the protection and sustainable management of bird species. Notably, while the Directive does not refer to the concept of "favourable conservation status" in explicit terms, this principle is implicitly reflected in the requirement to maintain adequate population levels, particularly for the 190 species and subspecies listed in Annex I.

Article 3, which imposes comprehensive measures for the conservation of bird habitats (including through the creation of protected areas, active habitat management, and the restoration of degraded ones), is reflected in the national framework through the policy of

protected areas and the expansion strategy of the Emerald network. The Emerald network includes essential habitats such as wetlands, forests, and other key habitats for avifauna.

Article 4, which regulates the special protection of the species included in Annex I (endangered, vulnerable, and migratory species) and of areas of importance for their conservation, is partially transposed by the designation of the corresponding Emerald sites. The Emerald National List includes 85 species of birds of European conservation interest, chosen according to the criteria established by the Bern Convention, which align with those in Annex I of the Birds Directive. These sites, although not yet formally designated as SPAs (Special Protection Areas for Birds) in EU terminology, fulfill the latter's role.

Article 8 of the Directive, which prohibits using non-selective means to kill or capture birds (such as snares, hooks, toxic substances, etc.), is also reflected in national legislation. Law 94/2007 explicitly regulates bans on hunting, aligning with the list in Annex IV of the Directive, including methods such as nets, poisoned baits, or electronic calling devices. In addition, recent hunting regulations, regulated by Hunting Law No 55/2024, reinforce these prohibitions by prohibiting unauthorized traps, hunting of migratory birds in protected areas, and use of snares or poisons, thus ensuring full transposition of Article 8 of the Birds Directive.

At present, a significant number of provisions of the Birds Directive (2009/147/EC) have not yet been transposed into national law, highlighting major gaps in the legislative framework. Non-transposed articles include Articles 2 (requiring the maintenance of bird populations at an appropriate level), 5 (regulating general obligations for the protection of birds, including the prohibition of killing, capture, destruction of nests and eggs and their deliberate disturbance for all wild bird species) and 11 and 12 (requiring research and monitoring for the protection of birds and regular reporting to the European Commission). Although some of these prohibitions are regulated piecemeal in existing legislation – such as prohibitions on the destruction of nests and the collection of eggs of rare species included in the Red Book or prohibitions on the hunting of species not included in the game lists – there is still no unified wording that absolutely protects all species of wild birds, as required by Article 5 of the Directive.

The Republic of Moldova has also not fully transposed the articles on monitoring and reporting (Articles 11 and 12), and the country does not yet have a complete system for monitoring the status of birds, as required by the European Directive. Monitoring is currently carried out on an ad hoc basis or on projects, and reporting is done regularly to the Bern Convention, in line with the requirements for Emerald species.

Articles 13 and 14, which regulate the application of the Directive's measures without deteriorating the existing situation and allow states to introduce more stringent measures, do not require explicit transposition, but the principle of "non-regression" in biodiversity conservation must be an important consideration. Articles 15 and 16, concerning the adaptation of the Annexes to scientific progress and derogations from prohibitions, are partly or not reflected in national legislation. The derogation procedure for birds is not explicitly regulated, although the general provisions of Law 94/2007 (Article 129) on Emerald species could apply by analogy. The absence of a clear derogation mechanism is a risk, given that the Directive requires derogations granted to be reported every 2 years.

Articles 16a, which govern the committee procedure introduced by Regulation (EU) 2019/1010, and 17 to 20, concerning the communication of national measures and the repeal of the old Directive 79/409/EEC, are not relevant for the Republic of Moldova, given that they apply exclusively to the Member States of the European Union. As regards the annexes of the Directive, Annex II, Part B, listing species that can only be hunted in certain EU Member States, is irrelevant for Moldova and has not been transposed. Annexes IV and V, which regulate

prohibited means of hunting and legislative correlations, are not formally integrated into national legislation, although Annex IV is covered by law, and Annex V is a formality to repeal the old Directive.

Instead, Annex II, Part A (bird species that can be hunted in the EU) and Annex III (species that can be traded) must be analysed in relation to the hunting and trade legislation of the Republic of Moldova. Recently, Moldova updated the list of game species through Government Decision No. 668/2020 and Hunting Law No. 55/2024, including a limited number of species (mammals and birds) that can be hunted in compliance with quotas and season. The national list of game birds mainly includes species such as pigeons, geese, ducks, and pheasants, species that are also found in Annex II A of the Birds Directive. Hunting of migratory waterbirds is also prohibited in protected avifaunistic areas, in line with recent regulations, which are in line with the spirit of the Directive.

Moldovan legislation tends towards a general ban on trade in wild birds. The animal kingdom law prohibits, in principle, the marketing of native wild animals, except in scientifically authorised or breeding cases (such as circus animals, zoos, etc.). This means that Moldova applies measures even stricter than the minimum required by the Directive on trade in wild birds, banning their trade in joint businesses.

In conclusion, the transposition of the Birds Directive into the legislation of the Republic of Moldova is currently more incomplete than the Habitats Directive. Moldova initially focused on implementing the habitat regime and the Emerald network, explicitly required by the Bern Convention, and the specific requirements for bird protection were less addressed. While a basic legislative framework is in place, in particular for the prohibition of non-selective hunting methods and the creation of protected areas for birds, significant gaps remain in the overall protection of birds and in derogation and monitoring mechanisms. These shortcomings will need to be addressed by future legislative changes. According to the Action Plan 2024-2027 for accession, a complex regulatory framework in the field of nature conservation is expected to be adopted to ensure the full transposition of the Birds and Habitats Directives (including the remaining articles and annexes) by 2026.⁶² The recommendations chapter of this work will detail the legislative measures needed to achieve this objective.

Table 6 Transposition scorecard of the Birds Directive (2009/147/EC)

Status	Articles/Annexes	Key notes
Fully transposed	Art. 1, 3, 4, 8	Scope and objectives recognized; habitat conservation and special protection areas addressed through Emerald Network; bans on non-selective hunting methods transposed.
Partially transposed	Art. 2, 13, 14, 16 Annex II (A), III, IV	General objectives and non-regression principles are incorporated; hunting and trade species lists partially aligned; some prohibited methods covered.
Not transposed	Art. 5, 11, 12, 15, 16a, 17–20 Annex II (B), V	Full protection for all wild birds (Art. 5), monitoring, reporting, derogations, and EU committee procedures not yet in place; some annexes not relevant or not reflected.

Source: Developed by EcoContact

⁶² Action Plan 2024-2027 for accession, https://www.legis.md/cautare/getResults?doc_id=141812&lang=ro

5.3.3. Institutional capacity for implementing Birds and Habitats Directives

Effective implementation of environmental directives cannot be achieved solely through the existence of a legislative framework but depends significantly on the institutional capacity to implement them in practice. In the Republic of Moldova, the institutional structure responsible for the management of protected natural areas and biodiversity conservation consists of multiple public authorities whose roles are both complementary and, in some cases, overlapping. MoE is the main central authority in the field of environmental protection⁶³, having fundamental attributions in the development of policies and legislation, as well as in the general coordination of activities in this sector. Thus, MoE is in a position to transpose European Union directives into national legislation and to represent the Republic of Moldova in international environmental conventions. At the same time, through its subdivisions, the Ministry facilitates collaboration with specialized scientific institutions, such as the National Botanical Garden "Alexandru Ciubotaru," the Institute of Zoology, and the Institute of Ecology and Geography, but also with civil society organizations in order to substantiate informed decisions on protected areas. This inter-institutional cooperation materializes, for example, in the regular updating of lists of protected species, with the opinion of academic specialists, or in the process of drawing up management plans for protected sites, in which environmental non-governmental organizations have an active involvement.

Under MoE, there are several institutions with specific executive powers, each having an essential role in the management of protected natural resources. A particularly important factor in this context is the 'Moldsilva' Agency, which manages the state forest system and directly manages approximately 40% of all protected natural areas, in particular, nature reserves and monuments located in forests. Within the Emerald network, many of the Sites of Community Interest overlap with woodland, which gives Moldsilva a crucial role in conserving forest habitats and associated species, such as various species of forest birds and mammals. According to the legislation in force, the Agency has specific tasks regarding the development and implementation of conservation and ecological reconstruction measures in forest-protected areas, including the management of species of hunting interest, in accordance with the established conservation objectives.⁶⁴

As regards the control of compliance with environmental legislation, including the monitoring of the protection regime in protected natural sites, this responsibility lies with SEI. Subordinated to the Ministry of Environment, SEI has powers to carry out inspections and enforce sanctions for environmental contraventions. Specific tasks of environmental inspectors include verifying compliance with hunting bans during closure periods, preventing illegal deforestation in protected habitats, and ensuring that the economic activities carried out in the Emerald sites have obtained the necessary environmental permits.⁶⁵

A complementary role in environmental monitoring and management is played by the Environment Agency, which is responsible for issuing environmental permits (including for the use of natural resources, sampling, and specific derogations), as well as monitoring environmental factors and biodiversity. Although the Environment Agency is formally responsible for collecting data on the state of environmental components, including habitat

⁶³ Organization and functioning of the Ministry of Environment, GD 145/2021, https://www.legis.md/cautare/getResults?doc_id=127621&lang=ro

⁶⁴ The organization and functioning of the Agency "Moldsilva", the structure and the staff limit of its central apparatus, GD no 150/2010, https://www.legis.md/cautare/getResults?doc_id=142887&lang=ro

⁶⁵ Organization and functioning of the Inspectorate for Environmental Protection, GD 548/2018, https://www.legis.md/cautare/getResults?doc_id=142890&lang=ro#

quality and the status of protected species, and for transmitting this information to the Ministry of Environment and other relevant institutions, in practice, the data collection process is currently fragmented. While the Agency coordinates the national biodiversity monitoring network, data flow from research institutions has been significantly disrupted. As a result, critical biodiversity information does not consistently reach the Agency, undermining its ability to fulfill reporting obligations (e.g., to the Bern Convention). This gap highlights the urgent need to strengthen institutional cooperation and enhance the technical and operational capacity of all actors involved in biodiversity monitoring.

At the local level, local public authorities also play a significant role, especially where protected areas are located on land managed by town halls or district councils. According to national legislation, Local Public Authorities (LPAs) are responsible for managing local protected areas and must comply with the protection regime imposed for these areas. In practice, the involvement of local authorities can vary significantly; in certain cases, they are actively involved in the development of management plans and may initiate conservation projects financed from local or external sources. In other cases, however, the technical capacity of LPAs is limited, and their work largely depends on the support and guidance of central authorities.

A significant problem identified in recent years in managing protected natural areas in the Republic of Moldova was the lack of unique and effective coordination between all categories of protected areas. The functional analysis of the institutions subordinated to the Ministry of Environment, carried out in 2022, revealed notable shortcomings and even conflicts of competence between the entities involved. In particular, there was no structure dedicated exclusively to the management of the Emerald/Natura 2000 network, with fragmented responsibilities: Emerald sites located in forests were managed by 'Moldsilva', aquatic sites, in particular wetlands, were managed by the 'Apele Moldovei' Agency, and other sites were managed by local authorities. These overlaps and fragmentations of responsibilities have led to difficulties in uniformly implementing conservation requirements. In response to this problem, the authorities proposed an institutional reform to create a specialized agency.

According to the National Action Plan and the recommendations of the functional analysis, an Agency for Protected Areas is expected to be established by 2026⁶⁶, which will become the unified central authority for the management of all categories of protected natural areas. This agency will take over the management of protected sites, including those in the Emerald/Natura 2000 network, ensuring the coordination of conservation measures, the development of management plans, and the integrated monitoring of the status of habitats and species. Once operational, this structure is expected to stimulate the development of integrated management plans for Emerald sites and future Natura 2000 sites while strengthening collaboration between central authorities, researchers, local public authorities (LPAs), and non-governmental organizations (NGOs).

Pending this institutional reform, the Ministry of Environment has already started to strengthen the procedural framework for implementation. Thus, in May 2024, the Minister of Environment approved a Guide for the development of management plans for Emerald sites, a document produced with technical support from the European Union. This guide provides clear steps for competent authorities and site custodians in developing management plans. So far, four

⁶⁶ Action Plan 2024-2027 for accession, https://www.legis.md/cautare/getResults?doc_id=141812&lang=ro

Emerald pilot sites (Cărbuna⁶⁷, Pădurea Hâncești⁶⁸, Lacurile Prutului de Jos, Pohrebeni⁶⁹)⁷⁰ have completed the management plans, and three others are being planned, which actively involve local authorities in the concrete management of the network.

Another important aspect at the institutional level is the mechanism for assessing the impact on protected sites. In order to implement the requirements of Article 6(3)-(4) of the Habitats Directive on the assessment of the impact of plans and projects on the integrity of Natura 2000 sites, the Republic of Moldova introduced in Law No 94/2007 the procedure for assessing biodiversity. Thus, any plan or project likely to have a significant effect on an Emerald site and not directly linked to its management must undergo a strategic environmental assessment or environmental impact assessment, focusing on the impact on biodiversity. The Environmental Agency is responsible for issuing environmental agreements only after these assessments are carried out, and the SEI ensures that these procedures are followed. The legislation also provides for the involvement of scientific organizations and civil society in monitoring compliance with the protection regime. For example, the Animal Kingdom Law allows non-governmental organizations to participate in environmental inspection activities in collaboration with the authorities to report violations and support environmental education.

In conclusion, the institutional framework of the Republic of Moldova has all the necessary elements for the effective implementation of environmental directives (policies, administration, control, science, civil society), but its effectiveness depends to a large extent on efficient coordination and available resources. Currently, the Ministry of Environment ensures the policy and transposition of legislation, "Moldsilva" and other agencies manage the territory segments, the Environmental Protection Inspectorate and the Environment Agency are in charge of monitoring and control, and local public authorities contribute to the local level. The future strengthening of these functions in an Agency for Protected Areas, together with human and financial capacity building (e.g., increasing the number of biodiversity specialists at the central and local levels), will be essential for the transition from a fragmented to an integrated system capable of effectively managing Natura 2000 sites at the national level.

5.4. Correspondence analysis of the Republic of Moldova

Transitioning Emerald Network to Natura 2000 during an EU accession negotiation process requires the fulfillment of several key conservation aspects⁷¹. Nevertheless, quite a few fundamental irregularities (or differences) have been identified and presented below, for which the Republic of Moldova should be prepared and addressed before and during the long-term transformation process from the Emerald to the Natura 2000 network. Also, a brief analysis regarding the correspondence of the current (and planned) framework of the Republic of Moldova towards the alignment and implementation of the Birds and Habitats Directives is presented below.

⁶⁷ Management plan of the "CĂRBUNA" Nature Reserve – EMERALD site, https://am.gov.md/sites/default/files/document/attachments/PLAN%20DE%20MANAGEMENT_CARBUNA_red_Bun_Pet.pdf

⁶⁸ Management plan of the "HANCEȘTI FOREST" Nature Reserve – EMERALD site, https://ieg.md/sites/default/files/2024-12/PlanManagementHancesti_2022.pdf

⁶⁹ EMERALD "Pohrebeni" Site Management Plan, https://ibn.idsi.md/ro/book_view/993

⁷⁰ Despite being labeled as management plans, most of these documents do not comply with the approved *Guidelines for the Management of Emerald Network Sites*. They typically focus on abiotic descriptions and do not include the EUNIS habitat classification, clearly defined conservation objectives, or targeted measures aligned with the Bern Convention's requirements for the conservation of natural habitats and species of European interest.

⁷¹ Transitioning from the Emerald Network to Natura 2000, <https://www.eu4environment.org/app/uploads/2024/01/Transitioning-from-the-Emerald-Network-to-Natura-2000-1.pdf>

The analysis below focuses on five horizontal nature conservation aspects, i.e., 1) Site designation and establishment based on: Site ecological criteria fulfillment (annex III of HD), Site management, 4) Monitoring and reporting, and 5) New policy trends.

5.4.1. Emerald Network constitution process vs Natura 2000 and irregularities

Emerald Network vs Natura 2000 Network “set up history”

The establishment of the Emerald Network has supported the former EU-candidate states to join the European Union, by doing part of the preparatory work necessary to comply in advance with the Habitats Directive. The Directive is a legislative measure designed to implement the Bern Convention in the European Union, and, as such, it is fundamentally coherent with the Convention. Since Resolution No. 1 and Recommendations No. 14, 15, and 16 were adopted in 1989, and Recommendation No. 25 in 1991, around the time the Directive was being drafted, it is evident that these documents influenced the content of the Directive.

To ensure coherence between the network of ASCIs designated under the Bern Convention and the network of SACs designated under the Habitats Directive, the Standing Committee of the Convention deemed it preferable to wait to establish the appropriate mechanism by the Directive. By January 1996, a sufficient number of Central and Eastern European states had become Parties to the Convention and were requesting the development of the network of ASCIs. The Standing Committee, realizing this wish and noting that the Habitats Directive was already sufficiently advanced in its work to build Natura 2000, decided to adopt Resolution No. 3 (1996), in which it resolved to *“set up a network (Emerald Network) which would include the Areas of Special Conservation Interest designated following its Recommendation No. 16”*. It furthermore *“encouraged Contracting Parties and observer states to designate Areas of Special Conservation Interest and to notify them to the Secretariat”*. Resolution No. 3 (1996) was, in a sense, a second act of birth of the network after its first creation in 1989. Thus, the Habitats Directive has led to greater protection for habitats outside the EU⁷², since countries with the prospect of joining the EU need to show ability to comply with Natura 2000, starting from pSCIs.

Comparison of the constitutional processes for establishing the Emerald Network and the Natura 2000 Network

So, there are dynamic “synergies” among the two networks, as also reported by COE⁷³, *“To bring a parallel with the history of establishing the Natura 2000 network, we could view the Emerald site (ASCIs) designation process in the light of similar stages in the Natura 2000 process. Proposed Emerald sites (under Phase I) and officially nominated candidate Emerald sites (Phase II) correspond to the Sites of Community Interest (SCII) in Natura 2000, while adopted Emerald sites with conservation measures in place (under Phase III) would correspond to the Special Areas for Conservation (SAC) in Natura 2000”*.

A concept process flow of the Emerald Network constitution establishment vs. Natura 2000 and the B and H Directive is presented below. While the designation of SPAs is based on the presence of bird species listed in the annexes of the Birds Directive, including a validation stage

⁷² Epstein, Yaffa, The Habitats Directive and Bern Convention: Synergy and Dysfunction in Public International and EU Law (April 22, 2013). Georgetown International Environmental Law Review (GIELR), Vol. 26, No. 2, 2014, Available at SSRN: <https://ssrn.com/abstract=2254785>

⁷³ TOWARDS MANAGEMENT OF EMERALD SITES: GUIDANCE DOCUMENT (pg 4), 2014, https://pjp-eu.coe.int/emerald-network/images/pa08e_2014_management_emerald_sites_final.pdf

of the EU, SAC designation under the Habitats Directive is more complex and involves several stages⁷⁴.

Following the principles described in Annex III⁷⁵ of the Habitats Directive for setting up Natura 2000 sites under that Directive, two distinct stages in the establishment of the Emerald network can be identified⁷⁶ (including a total of 9-step evaluation process⁷⁷):

1. An evaluation of the sufficiency of proposed ASCIs species by species and habitat by habitat (equivalent to Annex III⁷⁸, stage 1 of the Habitats Directive).
2. An evaluation of the proposed ASCIs site by site at the bio-geographical level (equivalent to in Annex III⁷⁹, stage 2 of the Habitats Directive), followed by approval by the GoEPAEN and subsequently adoption at the Standing Committee of the Bern Convention.

Evaluation of the Emerald network is viewed as an iterative process⁸⁰. Conclusions on the sufficiency of national ASCI proposals i.e., Step 1, will result in the need for new proposed Emerald sites or extension of existing sites if the conclusions are found unsatisfactory. An increase in site numbers with time is expected due to improving scientific knowledge and changes in nature. In all cases, resubmitted ASCI proposals will be re-evaluated, providing updated conclusions, i.e., Step 2.

According also to the designation criteria for ASCs⁸¹, *"The evaluation of the Emerald site proposals will also include bird species using the same methodology as for other species, contrary to the Natura 2000 bio-geographical seminars which only consider species covered by the Habitats Directive"*. Thus, Areas of Special Conservation Interest of the Emerald Network (ASCIs), as foreseen in Resolution No. 5⁸², may include areas designated for the conservation of birds [equivalent to a SPA under the Birds Directive], and designated for the conservation of habitats and/or non-avian species (equivalent to pSCI, SCI or SAC under the Habitats Directive) or both.

⁷⁴ NATURA 2000 – AN OVERVIEW, Stefan KREFT, Cumhur GÜNGÖROĞLU, 2018. [https://www.researchgate.net/publication/330244508_Natura_2000_-_An_Overview?enrichId=rgreq-17e557fec06e5548074fce81b28596fd-](https://www.researchgate.net/publication/330244508_Natura_2000_-_An_Overview?enrichId=rgreq-17e557fec06e5548074fce81b28596fd-XXX&enrichSource=Y292ZXJQYWdIOzMzMDI0NDUwODtBUzo3MTMxMDA1Mzc5MTMzNTBAMTU0NzAyNzgyNTc5Mg%3D%3D&el=1_x_2&esc=publicationCoverPdf)

[XXX&enrichSource=Y292ZXJQYWdIOzMzMDI0NDUwODtBUzo3MTMxMDA1Mzc5MTMzNTBAMTU0NzAyNzgyNTc5Mg%3D%3D&el=1_x_2&esc=publicationCoverPdf](https://www.researchgate.net/publication/330244508_Natura_2000_-_An_Overview?enrichId=rgreq-17e557fec06e5548074fce81b28596fd-XXX&enrichSource=Y292ZXJQYWdIOzMzMDI0NDUwODtBUzo3MTMxMDA1Mzc5MTMzNTBAMTU0NzAyNzgyNTc5Mg%3D%3D&el=1_x_2&esc=publicationCoverPdf)

⁷⁵ Annex III - Criteria for selecting sites eligible for identification as sites of community importance and designation as special areas of conservation, STAGE 1: Assessment at national level of the relative importance of sites for each natural habitat type in Annex I and each species in Annex II (including priority natural habitat types and priority species), STAGE 2: Assessment of the Community importance of the sites included on the national lists

⁷⁶ Criteria for assessing the National Lists of proposed Areas of Special Conservation Interest (ASCIs) at biogeographical level and procedure for examining and approving Emerald candidate sites, <https://rm.coe.int/16807467e4> (2010), <https://rm.coe.int/1680746a34> (2013)

⁷⁷ Criteria for assessing the National Lists of proposed Areas of Special Conservation Interest (ASCIs) at biogeographical level and procedure for examining and approving Emerald candidate sites, <https://rm.coe.int/16807467e4> (2010), <https://rm.coe.int/1680746a34> (2013)

⁷⁸ Annex III - Criteria for selecting sites eligible for identification as sites of community importance and designation as special areas of conservation, STAGE 1: Assessment at national level of the relative importance of sites for each natural habitat type in Annex I and each species in Annex II (including priority natural habitat types and priority species), STAGE 2: Assessment of the Community importance of the sites included on the national lists

⁷⁹ Annex III - Criteria for selecting sites eligible for identification as sites of community importance and designation as special areas of conservation, STAGE 1: Assessment at national level of the relative importance of sites for each natural habitat type in Annex I and each species in Annex II (including priority natural habitat types and priority species), STAGE 2: Assessment of the Community importance of the sites included on the national lists

⁸⁰ Criteria for assessing the National Lists of proposed Areas of Special Conservation Interest (ASCIs) at biogeographical level and procedure for examining and approving Emerald candidate sites, <https://rm.coe.int/16807467e4> (2010), <https://rm.coe.int/1680746a34> (2013)

⁸¹ Criteria for assessing the National Lists of proposed Areas of Special Conservation Interest (ASCIs) at biogeographical level and procedure for examining and approving Emerald candidate sites, <https://rm.coe.int/16807467e4> (2010), <https://rm.coe.int/1680746a34> (2013)

⁸² The Emerald Network: A Network of Areas of Special Conservation Interest for Europe, Explanatory document and compilation of relevant texts, 2016. <https://rm.coe.int/168074669d>

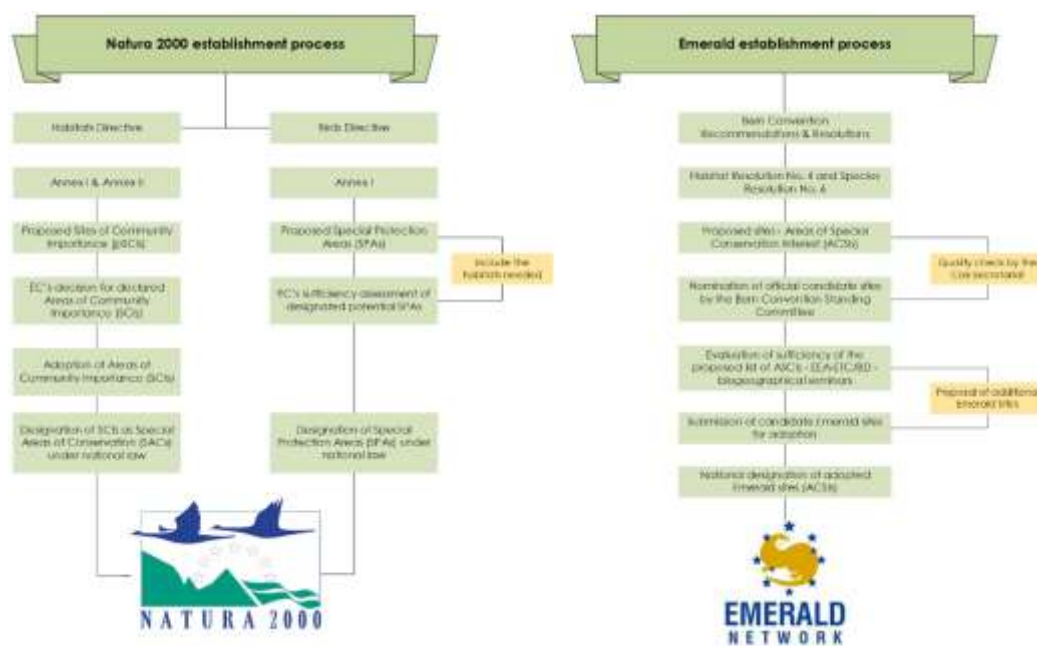


Figure 4 Emerald Network constitution process vs. Natura 2000 and the B and H Directives

Emerald Network vs Natura 2000 Network modification guidelines

The process and justification followed during both the Emerald and Natura 2000 network modifications are broadly similar. However, the competent authority and designated focal points must adhere to specific procedural and technical guidelines that differ between the two systems. Therefore, it is essential that the Republic of Moldova, both before and throughout the transition phase, closely follows the relevant EU guidance documents and methodologies related to database updates, sufficiency assessments, and site validation under the Habitats and Birds Directives. In this context, the LIFE RENATA project has actively responded to transitional needs. Under Task 3.2, it has developed and implemented a structured two-step process for revising Moldova's existing Emerald Network and sites, thereby supporting future alignment with Natura 2000.

Importantly, as emphasized during stakeholder consultations, the finalization of Moldova's Natura 2000 network will take place before or upon EU accession. Once the proposed list of SCIs is submitted to the European Commission, it becomes binding, with no possibility for removal or retraction. This underscores the need for a thorough, transparent, and inclusive consultation process at every governance level. An extended national stakeholder engagement campaign is therefore crucial to ensure that all site designations are scientifically justified, publicly supported, and institutionally agreed upon prior to submission. The next phases of Moldova's EU alignment process must prioritize this collaborative approach as a foundational principle of the Natura 2000 designation.

Biogeographic regions

The Republic of Moldova belongs to the Continental and Steppic biogeographical regions. Continental accounts for 29.3% of the EU, making it one of the largest biogeographical regions with Natura 2000 sites. On the contrary, Natura 2000 sites within the Steppic region are only in

Romania, accounting for only 0,9% of the EU site area⁸³. Thus, especially due to the latter, there is a high possibility -that was actually identified during T3.1-, that a number of species (listed or not in the Emerald network) are absent from the Habitats Directive Annex II or Birds Directive. This fact may lead to an extension of the Habitats Directive with new habitats and new species. This may also lead to the fact that new Natura 2000 sites must be designated in the Republic of Moldova. In response to the above, a thorough Annexes comparison exercise is necessary upon transitioning (see a short analysis of Annexes comparison below).

Finally, it is advisable to study the scientific content of the Natura 2000-Steppic zones in Romania for possible similarities.

SDFs

The level of correspondence of the current SDFs of the Emerald Network in the Republic of Moldova is analyzed in D3.1. The Emerald Network SDF was amended from the NATURA 2000 standard data-entry form (version 11 July 2011⁸⁴) in 2013⁸⁵. Thus, the two SDFs are fully aligned. A new version of the Natura 2000 SDF was elaborated together with Member States and adopted in 2023 (EU implementing decision 2023/2806). It has replaced the SDF format of 2011 used by member states⁸⁶. LIFE RENATA will investigate the new SDF and will guide the local experts through the modified sections.

Site designation and establishment

The Special Areas of Conservation of the Natura 2000 are considered equivalent to the ASCIs, as outlined in Resolution No. 5⁸⁷. Furthermore, the Natura 2000 Network consists of a network of areas designated for different conservation purposes: some areas are specifically designated for the protection of birds (Special Protection Areas, or SPAs, under the Birds Directive), while others are designated for the conservation of habitats or non-avian species (pSCI, SCI, or SAC under the Habitats Directive), or a combination of both.

Concerning the Republic of Moldova and based on D3.1 results, the analysis and assessment of the SDFs and current status of the Emerald Network and the biodiversity it supports, from a total of 61 Emerald sites, three (3) are designated for the conservation of birds [equivalent to a Special Protection Area (SPA) under the Birds Directive], 32 for the conservation of habitats and/or non-avian species (equivalent to pSCI, SCI or SAC under the Habitats Directive) and 26 for the conservation of all the above. Thus, during the transformation to *Natura 2000 Republic of Moldova* has to distinguish the identified areas.

Ecological criteria fulfillment

“Conservation status” terminology

“Conservation status” terminology may differ during reporting [under Resolution No. 8 (2012) (Articles 17 of the HD)]. In the Bern Convention context, the term “satisfactory conservation status” appears in Resolution No. 8 (2012) in relation to species and habitats conserved

⁸³ Natura 2000 in the Steppic Region, 2009, <https://op.europa.eu/en/publication-detail/-/publication/7153f31b-4171-4733-8066-bc0feab7ca4>

⁸⁴ COMMISSION IMPLEMENTING DECISION of 11 July 2011 concerning a site information format for Natura 2000 sites (notified under document C(2011) 4892) (2011/484/EU), 2011, <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32011D0484>

⁸⁵ REVISED APPENDIX TO RESOLUTION No. 5 EMERALD NETWORK STANDARD DATA-ENTRY FORM, <https://rm.coe.int/1680746bfa>

⁸⁶ Reference Portal for Natura 2000, <https://cdr.eionet.europa.eu/help/natura2000/>

⁸⁷ The Emerald Network: A Network of Areas of Special Conservation Interest for Europe, Explanatory document and compilation of relevant texts, 2016. <https://rm.coe.int/168074669d>

through the Emerald Network⁸⁸ (The term has not been defined further in the Bern Convention context⁸⁹). On the contrary, in the case of HD, it is used to describe the process towards reaching the 'favorable conservation status', for which definitions and details are provided⁹⁰. Also, the term conservation status of habitat and species is defined at the guidance documents for reporting under art. 17 (available at the Reference Portal for the current reporting period: https://cdr.eionet.europa.eu/help/habitats_art17).

The overall conservation status, in the context of the EU HD, is assessed for every habitat (annex I) and species (annexes II, IV, V) of EU interest, at Biogeographical Region level, through the assessment of 4 parameters for habitats and 4 parameters for species. These are: Range of occurrence (habitats and species), Area covered (for habitats) and Population size (for species), Structure and Functions (for habitats) and Habitat for the species (for species), Future Prospects (for habitats and species). Other parameters such as trends, conservation measures, and status of these habitats and species in the Natura 2000 network are also taken into account when assessing the overall conservation status.

The EU B and H Directives' fitness article⁹¹ actually verifies the differentiation, stating that *"However the Habitats Directive defines its general conservation objective in more detail by referring to the concept of Favourable Conservation Status, whereas the Convention is based on an undefined conservation level"*.

Trying to investigate this further, according to the glossary of terms of the Strategic Plan for the Bern Convention for the period to 2030⁹², about "Satisfactory conservations status", it justifies the absence of a clear definition as follows: *"The greater detail in these EU and CMS definitions, albeit for the different term "favorable", may be helpful for interpreting "satisfactory" in the Bern Convention context, in particular, to ensure that the latter accords with the level of ambition in Article 2 of the Convention"*.

Thus, it seems that a better understanding of the key terms of "conservation status" is necessary from the Republic of Moldova before transitioning to Natura 2000. It is also important to distinguish between the conservation degree at site level and the overall conservation status, i.e., at national, biogeographical or European level⁹³. For example, SDFs are meant to assess the conservation (i.e., degree of conservation) of a habitat type or species on a particular site whereas the assessments for Article 17 concern the status across all of a biogeographical region within a Member State.

Criteria

⁸⁸ "The national designation of the adopted Emerald sites will ensure that they are protected from external threats and subject to an appropriate regime **for achieving a satisfactory conservation status of the species and natural habitats listed in Resolutions No. 4 (1996) and No. 6 (1998) present on the site**, involving, if and where appropriate, management plans, administrative measures and contractual measures"

⁸⁹ Strategic Plan for the Bern Convention for the period to 2030, 2023, <https://rm.coe.int/tpvs18e-2023-strategic-plan-final/1680ada084>

⁹⁰ See Habitats Directive, Article 1 and 2; Birds Directive, Articles 1 and 2. The latter do not contain the words 'favourable conservation status' but are generally understood to imply this purpose for wild birds (in Conserving European biodiversity in a changing climate: the Bern Convention, the EU birds and habitats directives and the adaptation of nature to climate change, 2011, <https://rm.coe.int/16807469ef>

⁹¹(ch.8.9.3.1 Bern Convention) European Commission: Directorate-General for Environment, Markowska, A., Nastasi, G., Underwood, E., Petrovic, D. et al., *Evaluation study to support the fitness check of the birds and habitats directives – Final report*, Publications Office, 2016, <https://data.europa.eu/doi/10.2779/366025>

⁹² Strategic Plan for the Bern Convention for the period to 2030, 2023 <https://rm.coe.int/tpvs18e-2023-strategic-plan-final/1680ada084>

⁹³ (ch 2.3.1. Setting site-level conservation objectives) In Managing Natura 2000 sites. The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC, 2019, <https://data.europa.eu/doi/10.2779/02245>

Assessment of the pSCIs in both stages is conducted in accordance with the criteria set out in Annex III⁹⁴ of the Habitats Directive and relevant guideline docs⁹⁵ (1997).

Site-level conservation objectives are a set of specified objectives to be met in a site in order to make sure that the site contributes in the best possible way to achieving 'favourable conservation status' of all habitats and species at the biogeographical level. On the other hand, the Bern Convention designation criteria for ASCs⁹⁶ (since 2013) -as already described-, includes two distinct stages in the setting up of the Emerald network that correspond to Annex III Stage 1 and Stage 2 of the Habitats Directive. Nevertheless, it seems that there are no other specifics, instructions and criteria on the process applied, as in the Natura 2000 case. Thus, it is a possibility that a number of obligatory rules set by the Natura 2000 Network establishment will not be fulfilled by the Republic of Moldova, not only until the process of transformation is initiated.

Annexes comparison

To ensure maximum coherence between the two processes, the Emerald Network and the Natura 2000 Network, the lists of plant and animal species included in the Appendices of the Convention have been harmonized through continuous revisions⁹⁷, with the lists of species in the Annexes of the Habitats Directive and the Birds Directive, formally considering the Emerald Network as a preparatory stage in the implementation of the Habitats Directive and the contribution from the EU Member States to the Emerald Network.

Attempting a comparison exercise between the last adopted lists targeted by Resolution No. 4 (1996) (revised Annex I in 2014)⁹⁸ and Resolution 6 (1998) (revised Annex I in 2011⁹⁹) of the Bern Convention and the Annex I and II of the Habitats Directive (last updated 2013)¹⁰⁰ and Annex I of the Birds Directive amended in 2009¹⁰¹ (Directive 2009/147/EC) it is evident that do not fully align. Some species listed in the Emerald network are absent from the Habitats Directive Annex II or Birds Directive, which specifies species for which Natura 2000 sites must be designated. Conversely, some species from the EU Directives' Annexes are not included in the Emerald's Resolution 6 lists. One of the reasons may be that the H Directive amendments have been made only due to enlargement is the addition of new member states¹⁰².

⁹⁴ Annex III - Criteria for selecting sites eligible for identification as sites of community importance and designation as special areas of conservation, STAGE 1: Assessment at national level of the relative importance of sites for each natural habitat type in Annex I and each species in Annex II (including priority natural habitat types and priority species), STAGE 2: Assessment of the Community importance of the sites included on the national lists

⁹⁵ Criteria for assessing national lists of pSCI at biogeographical level, Hab. 97/2 rev. 4 18/11/97, <https://www.natura2000.nl/sites/default/files/Bibliotheek/Aanwijzing%20Habitatrichtlijngebieden/Criteria%20for%20assessing%20national%20lists%20of%20pSCI%20at%20biogeographical%20level%20%28EC%201997%29.pdf>

⁹⁶ Criteria for assessing the National Lists of proposed Areas of Special Conservation Interest (ASCIs) at biogeographical level and procedure for examining and approving Emerald candidate sites, <https://rm.coe.int/16807467e4> (2010), <https://rm.coe.int/1680746a34> (2013)

⁹⁷ The Emerald Network: A Network of Areas of Special Conservation Interest for Europe, 2016, <https://rm.coe.int/168074669d>

⁹⁸ Revised Annex I of Resolution 4 (1996) of the Bern Convention on endangered natural habitat types using the EUNIS habitat classification (year of revision 2014), <https://eunis.eea.europa.eu/references/2467>

⁹⁹ Revised Annex I of Resolution 6 (1998) of the Bern Convention listing the species requiring specific habitat conservation measures (year of revision 2011), <https://eunis.eea.europa.eu/references/2443/species>

¹⁰⁰ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora, 2013, <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:01992L0043-20130701>

¹⁰¹ DIRECTIVE 2009/147/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 30 November 2009 on the conservation of wild birds (codified version), 2010, <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009L0147>

¹⁰² Epstein, Yaffa, The Habitats Directive and Bern Convention: Synergy and Dysfunction in Public International and EU Law (April 22, 2013). Georgetown International Environmental Law Review (GIELR), Vol. 26, No. 2, 2014, Available at SSRN: <https://ssrn.com/abstract=2254785>

This irregularity has been acknowledged in the past during transition cases (e.g., UK, Norway) and EU B and H Directive fitting studies, as presented below in the “Final remarks.”

According to LIFE RENATA D3.1, in the Republic of Moldova, there are 39 species that are not listed in Resolution No. 6 (1998) of the Bern Convention (primarily plants, but also amphibians, reptiles, mammals, and birds) and have been recorded within the sites of the Emerald Network. Some of them are included in the annexes IV and V of the EU Nature Directives. Additionally, a few species have been recorded within the Emerald Network sites of Moldova, which are listed in Resolution No. 6 but are not included in the species lists of the Habitats and Birds Directives, such as *Fritillaria montana*, *Genista tetragona*, *Schivereckia podolica* (plants).

Thus, the Republic of Moldova, during the early steps of the transformation steps should execute a similar comparison exercise between the last adopted lists of Resolution No. 4 and Resolution 6 of the Bern Convention and the Annex I and II of the Habitats Directive and Annex I of the Birds Directive and get fully aligned.

Habitat types : Bern Convention vs Habitats Directive

The classification of habitats under the Bern Convention (included in Resolution 4) is according to EUNIS classification system whereas the classification of the four-code Annex I habitats under the Habitats Directive is based on (however not correspond directly to) the CORINE classification. For these two classification systems of habitats, interpretation manuals have been developed as a scientific tool for description and identification of the specific habitat types, and also in order to ensure as much coherence in the interpretation of the habitat types between countries as possible. These manuals are:

- Bern Convention: Interpretation manual of the habitats listed in Resolution No. 4 (1996) listing endangered natural habitats requiring specific conservation measures (2019)¹⁰³
- Habitats Directive: Interpretation Manual of European Union Habitats - EUR28 (2013)¹⁰⁴

As a result of the above, the Emerald network database includes habitat types in a different classification system than those of the Natura 2000 network database. Some crosswalks between these two classification systems are given in the Interpretation manual of the habitats listed in Resolution No. 4 (1996) and also further links have been developed for most of the habitat typed, by the EEA¹⁰⁵.

In what regards to our project LIFE RENATA, a complete list of crosswalks between the Bern Convention habitat types present in MD and the respective Annex I habitat types (Habitats Directive), is considered as a first necessary step to proceed with the transformation/transition from Emerald to Natura 2000 network of protected areas.

Further to that, at a later stage and in order for MD to conclude a successful transition towards the Natura 2000 network, the following will be required:

- a) an inventory and mapping of all habitat types present within the Emerald network (and outside, if possible),
- b) drafting of a "custom-made" national interpretation manual for the habitat types distributed in MD territory, and
- c) training/capacity building of experts to enable them to actively contribute to the above two points.

¹⁰³ <https://rm.coe.int/interpretation-manual-of-the-habitats-listed-in-resolution-no-4-1996-/168098c68c>

¹⁰⁴ https://cdr.eionet.europa.eu/help/natura2000/Documents/Int_Manual_EU28.pdf

¹⁰⁵ <https://www.eea.europa.eu/data-and-maps/data/eunis-habitat-classification-1/documentation/crosswalk-resolution-4-and-annex>

Birds Directive

Emerald provides explicit lists of all bird species to be identified inside all Emerald sites. This evaluation will be conducted as a combination of (1) a species-by-species approach, i.e., looking at whether each species of Resolution No. 6 (1998) of the Bern Convention is sufficiently represented in the network, and (2) a site approach, i.e., looking whether all International Bird Areas (IBAs) meeting certain numeric ornithological criteria for non-Resolution No. 6 (1998) migratory birds are covered by Emerald network¹⁰⁶ The site approach is used to protect areas of importance mainly for migratory species not listed in Resolution No. 6 (1998). Thus, a raised “question” is whether all IBAs hosting the concerned species are covered by the proposed Emerald sites.

Special Protection Areas (SPA) under the Birds Directive should be separately identified, using the amended EU IBA criteria (i.e., Sub-regional criteria: C. Important Birds Areas of European Union importance)¹⁰⁷ which also fulfills the obligations laid out in the various EC directives and international conventions.

Thus, the Republic of Moldova should initially check and ensure during the revision of the sites that all IBAs meet the internationally accepted criteria¹⁰⁸ (including IBA Global and Europe importance criteria¹⁰⁹) are covered by the proposed Emerald sites.

During the transition phase, after implementing an IBA inventory, the “C” criteria are used to select sites in the European Union that qualify, under the EC Birds Directive, as SPAs.

Management Plans

For each Natura 2000 site, conservation objectives and measures need to be set within the context of the ecological requirements of the species and habitats of EU importance present. This will determine the type of management that is required to maintain and/or restore the site to a good state of conservation. The Habitats Directive strongly recommends the use of **Natura 2000 management plans** as a means of setting objectives and measures in an open and transparent manner. Following the EU experience¹¹⁰, EU countries must first set site-specific conservation objectives. These objectives should reflect the ecological needs of the species and habitats. Conservation measures can then be implemented to meet these objectives using a variety of tools and agreements with landowners and users¹¹¹.

Emerald Network shares similar MP definitions and objectives¹¹². Moldova has advanced a lot in the framework regarding Emerald site management. Regarding the legal advances according to Article 17 of Law No. 94/2007, the management plans are established individually for each

¹⁰⁶ Criteria for assessing the National Lists of proposed Areas of Special Conservation Interest (ASCIs) at biogeographical level and procedure for examining and approving Emerald candidate sites, <https://rm.coe.int/16807467e4> (2010), <https://rm.coe.int/1680746a34> (2013)

¹⁰⁷ Identifying Important Bird Areas, <https://datazone.birdlife.org/about-our-science/ibas>

¹⁰⁸ The site is known or thought to hold, on a regular basis, 20,000 or more waterbirds of one or more species or 10,000 or more pairs of seabirds for one or more species (IBA criterion A4iii3); The site is known or thought to hold, 1% or more of flyway population or other distinct population of a waterbird species or other congregatory species (IBA criterions B1i and B1iii); The site is a 'bottleneck site' hosting 5,000 or more storks, 3,000 or more raptors and cranes (IBA criterion B1iv). (in “Criteria for assessing the National Lists of proposed Areas of Special Conservation Interest (ASCIs) at biogeographical level and procedure for examining and approving Emerald candidate sites” <https://rm.coe.int/1680746a34> (2013))

¹⁰⁹ Identifying Important Bird Areas, <https://datazone.birdlife.org/about-our-science/ibas>

¹¹⁰ Managing and protecting Natura 2000 sites, https://environment.ec.europa.eu/topics/nature-and-biodiversity/natura-2000/managing-and-protecting-natura-2000-sites_en

¹¹¹ Farming for Natura 2000. Guidance on how to support Natura 2000 farming systems to achieve conservation objectives, based on Member States good practice experiences. 2019. <https://op.europa.eu/en/publication-detail/-/publication/2e55717e-9185-11e9-9369-01aa75ed71a1/>

¹¹² Towards Management of Emerald sites: Guidance document, 2014, https://pjp-eu.coe.int/emerald-network/images/pa08e_2014_management_emerald_sites_final.pdf

area, depending on their location and existing management arrangement. In addition, specific content for Emerald management plans has recently been developed¹¹³.

Nevertheless, the relevant monitoring indicator, the proportion of Emerald Network sites with management plans in force, seems to not accurately reflect the current and actual management of the Emerald sites (see D3.1). Thus, the list of the actual Emerald sites reported under an active management plan must be updated.

Moldova is under significant advancement regarding active Emerald MPs (in 2025-2026, it is expected to rise to 11% of all sites (i.e., 7 sites out of 61), taken from D3.1) under Bern Convention conservation specifications and target habitats and/or species. Furthermore, it is also advised Moldova to adopt and follow EU guidance¹¹⁴.

Provision of Article 6 of the HD

Article 6 requires, as other articles, transposition into national law. A Member State has the choice of the form and methods of achieving that result. The article has three main sets of provisions. Article 6(1) deals with establishing the necessary conservation measures and focuses on positive and proactive measures to maintain or restore the natural habitats and the populations of species of wild fauna and flora at a favorable status. Article 6(2) makes provision for avoiding habitat deterioration and significant species disturbance. Its emphasis is, therefore, preventive. Articles 6(3) and (4) set out a series of procedural and substantive safeguards governing plans and projects likely to have a significant effect on a Natura 2000 site.

Species protection of Article 6

It should be noted that regarding species protection the Emerald monitoring and reporting only focuses on habitat types and species within the Emerald sites (see Resolution 8 2.1 *“The national designation of the adopted Emerald sites will ensure that they are protected from external threats and subject to an appropriate regime for achieving a satisfactory conservation status of the species and natural habitats listed in Resolutions no. 4 (1996) and no. 6 (1998) present on the site, involving, if and where appropriate, management plans, administrative measures and contractual measures;”*).

On the other hand, the species protection provisions of the Habitats Directive apply to certain species of Community interest but not to habitat types of Community interest. The latter only benefit from provisions under the ‘Conservation of natural habitats and habitats of species’ chapter (Articles 3–11), which also means that their occurrences outside the Natura 2000 network do not enjoy any protection under the Habitats Directive.”. Certain species of plants or animals covered by Articles 12, 13, and 14 do not appear in Annex II. Thus, they do not benefit directly from site conservation and protection within Natura 2000. Secondly, for vulnerable species, such as large carnivores, which benefit from both the chapter on conservation of natural habitats and habitats of species and the chapter on protection of species, the protection afforded to them by Article 6 is limited to sites within the Natura 2000 network, whereas the protection afforded by the chapter on protection of species is not limited to sites.

¹¹³ EU4Environment. 2024. Status of Emerald Species and Habitats in the Republic of Moldova: A Legal and Institutional Framework Assessment. Washington, DC: World Bank. <https://www.eu4environment.org/app/uploads/2024/06/Legal-and-Institutional-Framework-Assessment-Emerald-Species-and-Habitats.pdf>

¹¹⁴ Managing and protecting Natura 2000 sites, https://environment.ec.europa.eu/topics/nature-and-biodiversity/natura-2000/managing-and-protecting-natura-2000-sites_en

Thus, according to EU analysis¹¹⁵ Article 6 concerns the conservation and protection of sites designated for the species within the Natura 2000 network, whereas the chapter on the protection of species targets the species throughout their natural range within the EU (including specific areas outside Natura 2000 where the species occur, in particular, breeding sites and resting places for these animals).

This is an example indicating irregularities among the two Networks and variations in the scope of the provisions that may sometimes be complicated and should be thoroughly examined by the competent authorities before Law harmonization.

Inventory

Member States shall undertake surveillance (Article 11 of the HD) of the conservation status of the natural habitats and species referred to in Article 2 of the HD with particular regard to priority natural habitat types and priority species.

Monitoring and reporting

In the case of the Bern Convention, although there is no mandatory system of national implementation reporting for the Bern Convention (apart from the narrow issue of exceptions under Article 9), according to the Standing Committee documents¹¹⁶, reporting under Resolution No. 8 (2012) on the conservation status of species and habitats, the "Scoreboard" for assessing progress in combating illegal killing, taking and trade of wild birds, the Emerald Network "barometer", and thematic reporting in response to questionnaires organized through the Convention's Groups of Experts will all make contributions to the monitoring and evaluation regime for the Strategic Plan.

As it is known, to check whether the measures are achieving their objective, Member States monitor progress and report back to the European Commission every six years on the status of the species and habitats of European importance present in their country (Articles 12 and 17 of the B and H Directive). The above progress report results from Article 11, H Directive monitoring and surveillance.

The Republic of Moldova currently lacks legal force or standardized methods for a national inventory and monitoring program, which is the obligatory tool for reporting under Articles 12 and 17 of the B and H Directive. Within this context, specialized studies related to the ecology, biology, and habitat of plants and other species mentioned in both Directives with an unknown conservation status should be developed. The only experience of the bird monitoring and inventory program was initiated in 2021 when the Society for the Birds and Nature Protection launched the Common Bird Monitoring Scheme as a pilot project. By 2022, with support from the European Bird Census Council and the Pan-European Common Bird Monitoring Scheme, the program expanded under the "International Census Plots" initiative, aiming to enhance bird monitoring in Eastern Europe.¹¹⁷

Past examples from EU countries moving from Emeralds to Natura 2000 (and vice versa)

A few Emeralds to Natura 2000 transition examples exist of countries that entered (or left) the EU (or just assessed the coherence level among Emeralds and Natura 2000, such as Norway).

¹¹⁵ Managing Natura 2000 sites. The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC, 2019, <https://data.europa.eu/doi/10.2779/02245>

¹¹⁶ Strategic Plan for the Bern Convention for the period to 2030, 2023, <https://rm.coe.int/tpvs18e-2023-strategic-plan-final/1680ada084>

¹¹⁷ Pan European Common Bird Monitoring Scheme, Bird Monitoring in Moldova has Started, [Bird monitoring in Moldova has started | PECBMS - PECBMS](#)

Although there are very few relevant publications¹¹⁸, exploring past experience and work done during this process may be very helpful to the Republic of Moldova.

Croatia (entered the EU in 2013)

In the case of Croatia, the preparations for the Natura 2000 network in Croatia began in 2001 with a pilot project on the Emerald Network. The Emerald network spanned 52% of Croatian land surface (as submitted to the Standing Committee in 2008)¹¹⁹ Throughout the transformation process, a National Ecological Network was developed that included sites of national importance for species and habitats of national importance (red list), which are not included in the Annexes of Habitats Directive nor in the Resolutions. No further information is published regarding specific issues addressed during the transformation from Emerald to Natura 2000 (2013).

UK

The United Kingdom (UK) made a commitment at the 38th Standing Committee meeting of the Bern Convention (November 2018) that UK sites which are currently part of the EU's Natura 2000 Network (Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) will continue as the UK's contribution to the Emerald network after the UK leaves the EU.

Although this is a vice versa transformation case than in the Republic of Moldova, it matches the fact that the transformation process is not straightforward, and a series of irregularities should be solved before that. In particular, JNCC, which is the Adviser to the UK Government on Nature Conservation (<https://jncc.gov.uk/>), worked to identify how the data should be moved from the Natura 2000 database to the Emerald Network Database¹²⁰. The process was completed, i.e., Adopted Emerald Network listed (November 2021) after following two tranches of data (November 2020, October 2021. The latter included edits to the sites in tranche 1 and a full resubmission).

Agreed to the above analyses, JNCC also reports a number of irregularities. *"JNCC and the country nature conservation bodies (CNCBs) then worked to identify how the data should be moved from the Natura 2000 database to the Emerald Network Database. Although the formats of the databases are very similar, the transfer was not straightforward, particularly due to the complexity of relationships between Annex I of the Habitats Directive and Resolution 4 of the Bern Convention..."*

As presented, they actually emphasized that "The relationship between Annex I and Resolution 4 is far from straightforward. JNCC worked with habitat specialists employed by the Statutory Nature Conservation Bodies to identify which Annex I habitats would translate to which EUNIS habitats, and whether the translated habitats are listed on Resolution 4. It quickly became clear that there were a variety of relationships between Annex I habitats and Resolution 4 habitats respectively"....."In addition, it was realised that complex translations could occur when considering the translations on a site-by-site basis – for example a split could lead to a number of habitats, which might include those which were translated from other habitats on the site – thus leading to a split-merge operation."

¹¹⁸ IUCN Programme Office for Central Europe Implementation of Natura 2000 in New EU Member States of Central Europe Assessment Report, 2005, <https://portals.iucn.org/library/sites/library/files/documents/2005-117.pdf>

¹¹⁹ Lovrić, M. & N. Lovrić 2013. Integration of Nature Protection in Croatian Forest Policy. INTEGRATE Country Report for Croatia. European Forest Institute, EFICEEC – EFISEE Regional Office, <https://efi.int/sites/default/files/files/publication-bank/projects/croatia.pdf>

¹²⁰ Bern Convention, <https://jncc.gov.uk/our-work/bern-convention/#:~:text=The%20UK%20made%20a%20commitment,the%20Emerald%20network%20after%20the>

Thus, UK as reported in the Resources Hub¹²¹, ¹²², had to prepare a summary spreadsheets¹²³, that summarizes the translation of Natura 2000 Annex I habitats to their corresponding Resolution No. 4 habitats and Non Resolution No. 4 habitats and the transfer of Natura 2000 species and other important species to their corresponding Resolution 6 species and other important species, as part of the transfer of UK Natura 2000 sites to the Bern Convention's Emerald Network of Areas of Special Conservation Interest. Thus, the above is a very recent example indicating the complexity of the process and the specific effort that should be a priority.

Norway

A number of key points and issues addressed are also published in the case of Norway¹²⁴. The most relevant are the following:

- A new Information Centre on all biodiversity information was established centrally. One of its roles was to identify and coordinate knowledge gaps, produce a new Red List, etc.
- A Tentative List for Emerald Network was carried out on a larger scale, which will be assessed depending on the knowledge acquired, i.e., which species and habitats are relevant, etc.
- Close communication for knowledge and background sharing information has proven to be most helpful, especially from their neighboring and also EU countries, i.e., Sweden. This had an extra added value since Sweden and Norway share many of the species and natural habitats within the same biogeographical area (such as the Republic of Moldova with EU Member State Romania on the Steppic one)
- Acknowledged that (for the species less), for the Habitat types, there were considerable differences. A more fundamental problem is the fact that many habitat types that describe the same natural elements are defined differently between these networks. This applies both for their description and from what level they are selected in a hierarchical classification system. For example, "Dunes" is defined as one habitat type in Emerald Network, but for Natura 2000, it is divided into five different habitats (2110, 2120, 2130, 2140, and 2170). The opposite relation is to be found in the more general habitat type "Reefs" (1170) in Natura 2000, where several habitat types from Emerald Network could be included.
- Developed a new classification system for natural habitats in Norway, also indicating the coherence between the two Networks (Figure 5), e.g., whether it corresponds directly or not, or relatively well, whether one of the Networks may have a more or less detailed classification, cases with unclear definitions, cases that the H Directive may even not have given "priority", cases that may be unique to the Republic of Moldova, etc.
- Recorded the local habitats not directly covered by the Resolution and the H Directives.

¹²¹ <https://hub.jncc.gov.uk/assets/21a54e0e-c5d0-4a2a-86cd-27d758659294#data-transfer-to-emerald-network-database.pdf>

¹²² <https://hub.jncc.gov.uk/assets/18736cfd-5ff9-4460-9517-a8d307ce11b3>

¹²³ <https://data.jncc.gov.uk/data/21a54e0e-c5d0-4a2a-86cd-27d758659294/20211005-uk-emerald-translation-summary.xlsx>

¹²⁴ Directorate for Nature Management 2007. Emerald Network in Norway - Final Report from the Pilot Project. Report 2007-1b. , https://rsis.ramsar.org/RISapp/files/56433228/documents/NO312_lit171201_4.pdf

Appendix II - Norwegian Natural Habitats listed in Emerald Network (res.4-1996)

Code	Name	Corresponding Norwegian Natural Habitats ¹²⁵	Biogeographical Region	Natura 2000 Code	Natura 2000 Type	Comments
Coastal and Halophytic Communities						
11.22	Sublittoral soft seabeds	"Zostera Meadows and other Submarine Meadows", "Oyster Beds", "Larger Scallops Beds", "Sandbanks of Shells"	AL, AR, AE, B	(1110)	Is included in "Sandbanks which are slightly covered by sea water all the time"	Not used as a mapping unit in Norway, but some of our Norwegian natural habitats could be a part of this. The habitat as defined in the Habitats Directive should be used since this has a more distinct definition. Large parts of the Norwegian coast could be included in the Emerald definition.
11.24	Sublittoral rocky seabeds and large forest	"Larger Kelp Forest"	AL, AR, AE, B	(1170, 1180)	Is partly included in "Reefs"	Here the focus is on kelp forests and submersed rock structures created by leaking gases. For our part larger kelp forests would be the most relevant to include in the Emerald network. Distribution all along the Norwegian coast with the largest occurrences outside Central Norway.
11.25	Sublittoral organic communities	"Cold Reefs" and "Marl Beds"	AE, B, AL?	(1170)	Is partly included in "Reefs"	Different submarine communities are described within this habitat in different marine regions in Europe. It should be considered if this is to be included in the more general type "Reefs" used in Natura 2000. Many known coldwater coral reefs are known in Norwegian waters, some of these have also been protected in the later years.
11.26	Sublittoral cave communities	-	AE	(8330)	Included in "Submerged or partially submerged sea caves"	Not given any particular focus in Norway. It is not included in our national mapping of Natural Habitats. See also Habitat 12.7. In Natura 2000 there are mapped into the type "Submerged or partially submerged sea caves" (8550).
11.27	Soft sediment littoral communities	"Soft Sediment Littoral Areas", "Estuaries"	AL, AR, AE, B	(1160, 1140, 1130, 1131)	Included or overlap with "Large shallow inlets and bays", "Mudflats and sandflats not covered by seawater at low tide", "Estuaries" and "Coastal Lagoons"	Defined from algae and invertebrate communities on soft sediments in the tidal zone. See also Habitat 14. It could be included in several habitats in the Natura 2000. Other, more directly related Habitats will be given priority before this one.
11.3	Sea-grass meadows	"Zostera Meadows and other Submarine Meadows"	AL, AE, B	(1140, 1160)	Included in "Mudflats and sandflats not covered by seawater at low tide" and "Large shallow inlets and bays" and others?	This Habitat seems to have a somewhat unclear definition in relation to Habitat 11.22. In its interpretation it might be used on sea-grass meadows where the substrate is not considered (?) in Norway. Sea-grass meadows with <i>Zostera marina</i> (1110) and <i>Zostera noltii</i> (1102) will be relevant.
11.42	Marine spike-moss beds	"Zostera Meadows and other Submarine Meadows"	AE, B, AL?	-	-	Specific communities which often will be included in wider defined Habitats like Estuaries, Coastal Lagoons and Large shallow inlets and bays in Natura 2000. In Norway it is included in Sea-grass meadows through the subtype "Ruppia"

Figure 5 Example of the Emerald vs. Natura 2000 coherence table developed for the Norwegian Natural Habitats listed in Emerald Network

New EU policy trends to be adopted by Member States

EU's Biodiversity Strategy for 2030¹²⁵ contains specific commitments and actions to be delivered by 2030. In May 2020, the European Commission adopted the EU's Biodiversity Strategy for 2030 a core component of the European Green Deal, with the following key components:

A. Establishing a larger EU-wide network of protected areas on land and at sea: The EU will enlarge existing Natura 2000 areas, with strict protection for areas of very high biodiversity and climate value (at least 30% of land area).

B. Ecological Connectivity¹²⁶: Integrate ecological corridors as part of a coherent, functional, and resilient Trans-European Nature Network

C. Launching an EU nature restoration plan. Through concrete commitments and actions, the plan is for EU countries to put in place effective restoration measures to restore degraded ecosystems, particularly those with the most potential to capture and store carbon and to prevent and reduce the impact of natural disasters. As part of this plan, the Commission proposed the EU's first-ever Nature Restoration Law, which includes an overarching restoration objective for the long-term recovery of nature in the EU's land and sea areas, with binding restoration targets for specific habitats and species.

The Birds and Habitats Directives are the cornerstones of the EU's biodiversity policy; protecting biodiversity is the heart of European nature conservation.

5.4.2. Final observations

Emerald and Natura 2000 coherence

From the above coherence analysis on the key components between the Bern Convention, the B and H Directives, and subsequently in the Emerald and the Natura 2000 Networks, it is evident

¹²⁵ Biodiversity strategy for 2030, https://environment.ec.europa.eu/strategy/biodiversity-strategy-2030_en#actions

¹²⁶ Connecting the dots LIFE lessons on ecological connectivity, <https://cinea.ec.europa.eu/system/files/2021-03/LIFECConnectingDots-2021.pdf>

that—although there are many similarities—there are a number of critical irregularities and differentiation for which the Republic of Moldova should be prepared.

In agreement with the above, the EU B and H Directives' fitness article¹²⁷ claims that *'.....there are no explicit provisions on connectivity in the Directives.....'* and *'.....No changes were made to the Directives to fully reflect the appendices of the Convention.....'*, *'.....Inconsistencies have been identified between the species protected by the Directives and the Convention. For example, the European Court of Justice (CJEU) highlighted that Appendix II of the Convention does not contain all of the species covered under Annex IV(a) of the Habitats Directive.....'*, *'...Annexes and appendices of the Directives and the Convention are not entirely coherent, therefore, with respect to species. On damage to, or destruction of, breeding or resting sites, the word 'deliberate' is used in Article 6(b) of the Convention but is absent from Article 12(1)(d) of the Habitats Directive (European Commission, 2007b), making the latter more stringent, as it forbids both deliberate and non-intentional acts.....'*. The fitness article actually goes a step further and recommends that an alignment is necessary stating that *"... For the instances of inconsistencies between the appendices of the Convention and annexes of the Directives, the EU secondary law should align with the Convention, given that the former prevails over the latter (see section 8.9.3). This applies to species and habitats found in the EU since the Convention covers a larger geographical area..."*

Future steps

The provisions of the Habitats and Birds Directives are the only procedures that should apply to the Republic of Moldova starting and during a transition to Natura 2000. National law should be fully harmonised with EU Directives on nature protection, the Protected Areas governance system, priorities concerning the protection of biodiversity species, habitats, and species of national and Community interest, and an administrative framework for Natura 2000 sites.

Once also, the Republic of Moldova has officially adopted and designated Emerald sites - Areas of Special Conservation Interest (ASCIs) is in a favourable position during the transformation process. This is also in agreement with the EU explanatory document¹²⁸, that states, *"if a state designates a coherent network of ASCIs¹²⁹ within the Emerald Network, it will be in a more favourable position to designate its own SACs when it joins the Union.*

¹²⁷(ch.8.9.3.1 Bern Convention) European Commission: Directorate-General for Environment, Markowska, A., Nastasi, G., Underwood, E., Petrovic, D. et al., *Evaluation study to support the fitness check of the birds and habitats directives – Final report*, Publications Office, 2016, <https://data.europa.eu/doi/10.2779/366025>

¹²⁸The Emerald Network: A Network of Areas of Special Conservation Interest for Europe, Explanatory document and compilation of relevant texts, 2016. <https://rm.coe.int/168074669d>

¹²⁹ Site only designated for the conservation of birds (equivalent to a Special Protection Area (SPA) under the Birds Directive) or designated for the conservation of habitats or non-avian species (equivalent to pSCI, SCI or SAC under the Habitats Directive) or both,

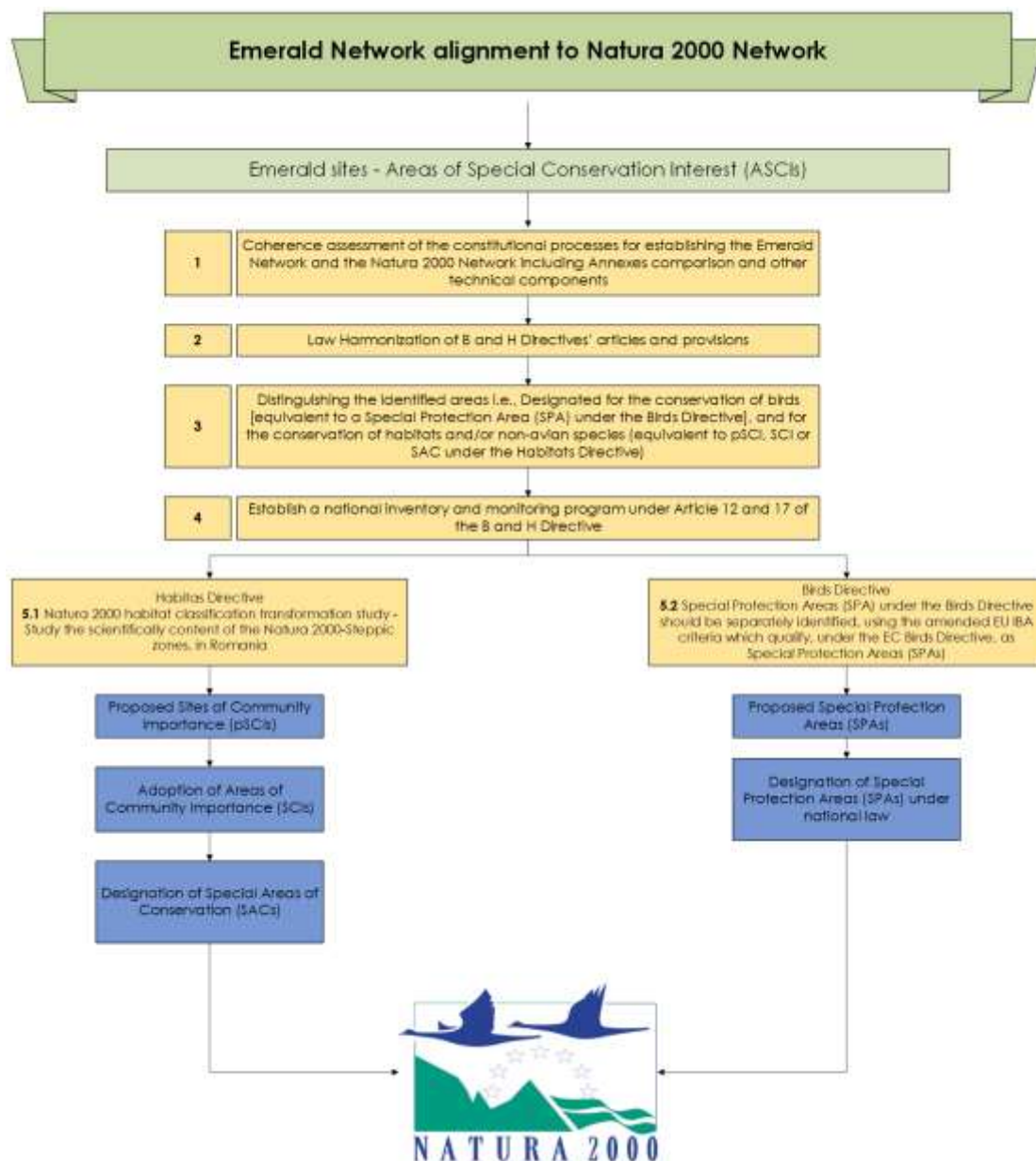


Figure 6 Coherence of the Emerald Network constitution process with Natura 2000 and the H Directive provisions

6. Identified legislative and institutional gaps for Natura 2000 readiness

The above analysis highlights a number of gaps – both legislative and institutional – that need to be addressed by the Republic of Moldova in order to be fully aligned with EU requirements. These gaps are the points where either the legislation does not yet cover an issue covered by the Directives or the institutions do not have the optimal structure or capacity to implement certain provisions.

6.1. Legal gaps

Incomplete transposition of essential articles:

In the context of the Birds Directive, the lack of explicit transposition of Article 5 at the national level (concerning the general protection of birds) points to a possible gap in national legislation, as there is no clearly formulated prohibition for killing or disturbing birds of species not included in the Red Book or game lists. Although the effects of this omission are not immediate, it would be appropriate for national legislation to incorporate such a provision in order to better align national rules with the principles of the Directive. As regards the designation of Special Protection Areas (SPAs) for migratory species and those in Annex I of the Birds Directive, the absence of formal regulation in this respect represents an untapped opportunity. Although Emerald sites partially cover this requirement, formal recognition of the SPA concept in national legislation would support the process of integration into the Natura 2000 network. Similarly, in the case of the Habitats Directive, the failure to adopt a regulatory framework covering all species and habitats of Community importance, possibly in the form of a single annex approved by order of the Minister for the Environment or complementary to Law No 94/2007, renders the transposition incomplete. Given that not all species in Annex I of the Habitats Directive are found directly on the territory of the Republic of Moldova, full transposition in the terms provided is not always possible. However, it would be appropriate for national legislation to reflect an adapted and regularly updated list of species and habitats of Community importance. Also, Article 17 of the Habitats Directive, which requires the conservation status of sites to be reported every six years, is partially implemented through reporting under the Bern Convention, but there is no national regulatory framework regulating in detail the procedures for data collection and reporting. To this end, it is necessary to develop a clear national methodological framework that is aligned with the requirements of the European Union, with standardized indicators, harmonized monitoring methodologies, and centralized databases. For more efficient implementation, national authorities should adopt specific administrative tools (e.g., government-approved methodologies), setting parameters and procedures for monitoring habitats and species in line with European Union requirements.

Derogations and sustainable management regime:

Another aspect to be improved at the legislative level is the lack of detailed procedures for derogations concerning strictly protected species. Both the Habitats Directive (Article 16) and the Birds Directive (Article 9) allow derogations only under strictly controlled conditions and require their reporting. In the Moldovan legislative framework, Law 94/2007 includes a list of acceptable grounds for derogation (such as public health and safety, aviation safety, prevention of serious damage, etc.), but the procedural process by which a derogation is obtained is not clearly regulated. It is currently not specified who has the authority to approve these derogations (although it is assumed that this would be the responsibility of the Environment Agency), what documentation needs to be submitted and whether a scientific opinion is required. For example, the Habitats Directive provides for consultation of the

European Commission in certain cases, and national legislation requires the opinion of the Academy of Sciences for the special use of animals in the Red Book. The absence of a regulation dedicated to derogations may lead to inconsistent application or, in some cases, non-use of the derogation option even when justified, as in the case of rescuing injured birds (which, technically speaking, would involve their capture and require formal derogation).

Also, the management of species in Annex V of the Habitats Directive (species that can be exploited sustainably) is currently not regulated by management plans or by setting scientific exploitation quotas. For some species of medicinal plants or fish that could be harvested, a regulatory framework setting the allowable harvest limits would be necessary so that their populations remain in a favourable conservation status. This distinction is absent from national legislation, which creates the risk that a species is either completely unprotected or completely prohibited without a mid-term assessment of the sustainability of that harvest.

Full integration of EU concepts and terms:

Although many concepts have been taken over from European directives, some legal definitions and distinctions specific to them have not been fully integrated into national legislation. A relevant example is the term 'special area of conservation' (SAC), which is the equivalent of the Natura 2000 site confirmed by the European Commission but not explicitly defined in national law. Currently, the Republic of Moldova uses the term 'Area of Special Conservation Interest' (ZISC) for the Emerald sites already adopted. It will be necessary to clarify in the future whether these ZISCs will be officially recognised as SACs upon accession to the European Union or whether they will be renamed SPA/SACs according to the requirements of each relevant European directive.

Similarly, the notion of 'favorable conservation status' for species and habitats, which is central to European directives (Article 1), is only implicit in national legislation without being clearly defined and operationalized in the monitoring process. This lack of clarity makes it difficult to assess progress in achieving conservation objectives and, thus, the impact of protection measures on the condition of protected ecosystems and species.

6.2. Institutional and implementation laces

Fragmentation of responsibilities and absence of a single governance structure:

As already pointed out, the management of the network of protected sites in the Republic of Moldova is characterized by significant institutional fragmentation, involving entities such as Moldsilva, public institutions responsible for managing specific reserves, as well as local public authorities. This dispersion of institutional responsibilities leads to considerable failures in the consistent application of conservation measures and in the clear allocation of operational responsibilities. An eloquent example of this is the Emerald sites which do not have a single and dedicated administrator, thus raising fundamental issues of coordination and effective implementation of protection measures. In the absence of a centralized agency, such as the Agency for Protected Areas, to ensure their unitary management, certain Emerald sites, which do not overlap with forests managed by Moldsilva or with already existing protected areas, remain under the overall responsibility of the Ministry of Environment, without a continuous presence and adequate supervision on the ground. This fragmented structure not only hampers the consistent application of protection measures but also imposes significant difficulties in the efficient and sustainable management of these areas, with a direct impact on the long-term conservation capacity of biodiversity.

Technical capacity and limited human resources:

The implementation of the EU acquis requires well-trained specialist staff (biologists, ecologists, GIS experts, etc.) at both central and local levels. The Republic of Moldova faces a significant shortage of human resources in environmental institutions, which hinders the process of effective implementation of European legislation. For example, the number of environmental inspectors is relatively small in relation to the territorial dimension and the number of sites requiring constant surveillance, which makes it difficult to identify infringements (such as illegal logging or poaching) in Emerald sites in a timely manner. At the level of local authorities, few municipalities have specialized staff in the field of ecology or the necessary capacity to implement biodiversity conservation projects. This institutional weakness is reflected in the delays in the development of management plans for protected sites, as only 4 out of 61 Emerald sites have an approved plan so far. The implementation of monitoring systems is also delayed, and in the absence of a well-defined management framework, conservation measures are often reactive rather than proactive. Without management plans and proper monitoring, assessing progress in achieving conservation objectives becomes problematic, and the risk of not detecting the declines of protected ecosystems and species becomes considerably higher.

Insufficient inter-institutional coordination:

In the Republic of Moldova, the management of the protected area network faces a significant problem of institutional coordination, given the lack of a functional mechanism that effectively integrates all responsible ministries and agencies. In particular, in the case of Emerald sites, which extend to land with different use regimes – forestry (managed by Moldsilva), agricultural (managed by local authorities), and aquatic (under the responsibility of the Waters of Moldova Agency) – it is imperative to draw up an integrated management plan that is accepted and implemented by all parties involved.

The absence of formalized collaboration protocols and a coherent strategy for managing the protected area network constitutes a considerable institutional gap. Although a National Programme for the creation of the ecological network was implemented between 2011 and 2018, which provided a significant initial impetus towards the integration of protected sites and the strengthening of ecological management, the continuation of this process was largely carried out on the basis of ad hoc international projects. Thus, there was a lack of coherence and long-term institutional stability, and the implementation process of the green network did not benefit from a centralized and sustainable structure.

In the current context, we consider it essential that the national authorities institutionalize an agency dedicated exclusively to managing the network of protected areas. This agency should have a centralized role in the development and implementation of management plans, in the establishment of collaboration protocols between the institutions involved, and in the constant monitoring of the ecological status of protected sites. The institutionalization of a central authority would ensure a coordinated and efficient framework for managing the network of protected areas, thus contributing to a more efficient application of environmental legislation and the implementation of conservation objectives set at the national and European levels. It would support closer collaboration between central and local authorities, as well as with international organizations and civil society, for an integrated and sustainable management of the natural heritage of the Republic of Moldova.

Unsustainable financing mechanisms:

According to Article 8 of the Habitats Directive, the principle of co-financing of conservation actions by the European Union is essential. Until the possible accession of the Republic of Moldova to the EU, the management of the Emerald/Natura 2000 network of sites depends to

a large extent on the national budget and funds from external donors. However, the absence of a dedicated budget line exclusively for the Emerald/Natura 2000 network within the national budget is a significant problem. Without established and predictable financial resources, implementing conservation measures, such as guard patrols, habitat restoration works, or compensation to private owners for restrictions imposed, remains poorly financed.

This highlights a major institutional gap: without the allocation of a stable fund, the responsible institutions cannot implement effective protection and conservation measures. Although many conservation activities are financially supported by international projects such as the EU LIFE Programme and the EU4 Environment Initiative, these funding sources are temporary and do not ensure the long-term continuity of the necessary actions. This dependence on external projects makes conservation efforts fragile and vulnerable to changes in donor priority or international policy.

In this context, the creation of the Protected Areas Agency should be accompanied by the development of a sustainable financial mechanism. The authorities must implement a dedicated conservation fund, to be financed both from the state budget and from other sources of funding, such as payments from the National Ecological Fund or future European Structural Funds. Such a mechanism would provide the necessary resources for the efficient implementation of conservation measures and for ensuring the sustainable management of the protected site network.

In conclusion, in order to ensure an adequate and efficient protection framework for biodiversity, Moldova needs to adjust and complete the national legal framework (through the full transposition of European directives, the adoption of specific regulations and implementation procedures), but also to reform the existing institutional structure, clarifying responsibilities and strengthening administrative capacity. In parallel, it is necessary to create a sustainable financial system that allows for continuous financing of conservation measures, thus contributing to achieving a level of compliance that is equivalent to that of the Member States of the European Union. Only by simultaneously addressing these dimensions will Moldova be able to successfully implement the necessary measures for the protection of the environment and the preservation of its biodiversity.

7. SWOT Analysis for the Establishment and Management of Emerald Sites in Moldova

LIFE RENATA aims to support the Republic of Moldova in advancing the establishment and management of the Emerald Network of protected sites and to move closer to the EU standards for the conservation of habitats and species by providing support in the following horizontal fundamental areas:

- a) Legal
- b) Technical and
- c) Operational.

As such, to offer a proper ground for developing a roadmap as a dynamic framework up to 2030 for advancing the transformation of the Emerald establishment to Natura 2000 in Moldova, along with evaluating the legislative sector, a SWOT analysis was performed hereafter to disclose a thorough understanding of the currently real situation of the Emerald network status from the perspective of all level stakeholders.

As part of the project action plan, a stakeholder questionnaire was circulated to gather insights on perceptions, expertise, and competencies related to biodiversity and protected area management, including the Emerald and Natura 2000 networks. Although 30 forms were distributed, only 10 were returned—primarily from university researchers, consultants, and environmental experts in fields such as biodiversity monitoring, environmental chemistry, and impact assessment.

While most respondents were familiar with Natura 2000, only a few had direct experience with related projects. The Emerald Network was rarely mentioned, revealing limited visibility and awareness among experts expected to support its implementation. This suggests a gap between legislation and practice, possibly due to weak enforcement or a lack of clear implementation mechanisms.

On biodiversity monitoring, few respondents reported using standardized protocols, pointing to an absence or lack of awareness of consistent national guidelines. Monitoring activities were often fragmented and carried out through short-term projects rather than coordinated national programs. This highlights the need for greater institutional coordination and the adoption of unified protocols for all protected areas, including Emerald sites.

7.1. Methodological approach

A framework for gathering information leading to a SWOT analysis was developed through a participatory approach, which represents a way of broad coverage, in order to integrate the experiences and de factual knowledge of stakeholders on the current situation of Emerald sites, as well as the current management practices for protected areas in the Republic of Moldova. Thus, to come up with a comprehensive assessment, a questionnaire was designed, tailored to cover 4 main compartments that serve as a basis for a conceptual evaluation of the real situation and the perception of the main stakeholders, namely:

- a. **Part A-General:** General questions about the invited person's profile
- b. **Part B-Legal:** Help record institutional and legislative baseline findings, identify possible barriers and needs towards the EU Nature Directives in the Republic of Moldova and Emerald network establishment (Such as designation and establishment

of Emerald sites procedure followed, institutional framework of planning-approval and implementation of Action Plans for habitat type and species of Community interest and/or Management Plans, Monitoring framework, Site management framework, Biodiversity conservation awareness level in the Republic of Moldova etc.)

- c. **Part C-Technical:** Provide the project team with a concise picture of the technical competence and methods used to identify Emerald site areas, utilizing new technologies in biodiversity management and monitoring (GIS, Remote Sensing, etc.) and data and database file management information systems followed in the Republic of Moldova.
- d. **Part D-Operational:** Help the project team understand the existing competence on methods/standards/protocols and tools used during identifying, establishing, and managing monitoring and reporting on Emerald site areas under the EU Nature criteria and Bern Convention. Likewise, consider the ecological criteria assessment on habitats and species listed in the Birds and Habitats Directives.

Thus, even when well-conceived, SWOT analysis is usually considered a subjective tool; therefore, to avoid such conclusions, measures were taken at the first stage to achieve a representative number of stakeholders. For instance, the questionnaire was drafted in an online format to be quickly and easily accessible, as well as a measure to gather the info directly from the source without third-party interpretation. The online form was distributed to officers and representatives of the Ministry of Environment, Moldsilva Agency, ICAS officers, and other national authorities involved in Emerald/Protected areas management. Also, to protect areas' site managers. Hence, the SEP does cover all the enumerated institutions with a total number of 38 representatives.

Forecasting various scenarios for the risk mitigation of questionnaire non-completion was taken into account as a way to back up the results from the online questionnaire, the results of which are disclosed in the next chapter.

In terms of information portals and digital support, access to online information relevant to protected areas in Moldova is scarce. Only one respondent mentioned a specific portal, which indicates either a lack of awareness or insufficient digital resources available. In this context, the development and promotion of integrated online platforms could be a focal point for improving collaboration and efficiency.

Summing up the questionnaire gathered information, the general idea shows that a revised strategy is needed, and it should include legislative updates to align with the Habitats Directive and international standards, promote the creation of standardized protocols, and facilitate the integration of modern digital tools for the management of Emerald sites. Such measures would support biodiversity conservation and effectively implement European initiatives in this field.

7.2. SWOT general overview and Breakdown

Based on previous experience, it was anticipated that there is a considerable risk - to have a low rate of responses to the questionnaire form. To avoid the non-completion of the output stipulated in the Grant Agreement, it was undertaken a distinct method but with a similar final result, which represents the SWOT analysis but with the assurance that all the stakeholders' opinions would be considered and expressed accordingly.

Thus, closer to the end of the first training session, the participants were grouped in four clusters and asked to identify the challenges for the transition of the Emerald network to Natura 2000 through a SWOT approach, reflecting their opinion in the light of the disclosed marginal information during the event.

As expected, the resulting SWOT depicted almost the same information as from the filled-in online forms.

Finally, the questionnaire feedback described above, which aimed to contribute to the SWOT analysis output (T2.2), is integrated into the version elaborated during the training and presented below to reveal the extended status of the stakeholders and other interested parties' perceptions regarding the transition process from Emerald to Natura 2000.

Strengths	Weaknesses
<ul style="list-style-type: none"> ➤ Ratification of International Conventions: Bern, Bonn, Birds and Habitats Directives <ul style="list-style-type: none"> ➤ The existence of the national legal framework regarding the Emerald network ➤ Establishment and approval of the Emerald Network in RM and initiation of the transition process to Natura 2000 ➤ Elaborated and approved Guidelines for the elaboration of Management Plans for Emerald sites <ul style="list-style-type: none"> ➤ Several Management Plans for sites have been developed. Projects are being initiated to improve/regress sufficiency and periodic evaluation of Emerald Network data. ➤ Primary GIS database, Species, Habitats <ul style="list-style-type: none"> ➤ Forest Management FFS ➤ 61 designated sites ➤ Determination to act in this area ➤ EU candidate country status 	<ul style="list-style-type: none"> ➤ Lack of aspects in national legislation on the Emerald Network management mechanism (including institutional framework) <ul style="list-style-type: none"> ➤ Lack of legal and regulatory framework for Natura 2000 ➤ Insufficient knowledge and popularization of the Emerald Network at any level. ➤ Insufficient scientific approach, lack of state programs dedicated to Emerald Network <ul style="list-style-type: none"> ➤ Lack of Environmental Legislation ➤ Lack of Site Delimitation / Poor Delimitation ➤ Vague description of natural habitats ➤ Insufficient qualified human resources <ul style="list-style-type: none"> ➤ Lack of cooperation and communication between institutions ➤ Absence of a nominated institution and unclear responsibilities <ul style="list-style-type: none"> ➤ Lack of Management Plans for designated sites ➤ Action Plans (integrated in Docs) ➤ Shortage of basic information
Opportunities	Threats
<ul style="list-style-type: none"> ➤ Development/completion of the national legal framework (including elaboration/implementation of management plans, harmonization with IUCN) <ul style="list-style-type: none"> ➤ Strengthening research in the field, including through Natura 2000 ➤ Biodiversity conservation at the European level <ul style="list-style-type: none"> ➤ Resilience to climate change ➤ Align with EU and international standards by taking up and applying good practices from neighbouring countries ➤ Institutional and human capacity building <ul style="list-style-type: none"> ➤ European Support ➤ Creating new jobs, training local people ➤ Expansion of A.N.P.S.S areas (% increase by 2030) <ul style="list-style-type: none"> ➤ National research and innovation program ➤ Raising awareness of LPAs of 1st and 2nd degree 	<ul style="list-style-type: none"> ➤ Contradictions between land use needs and Natura 2000 protection objectives ➤ Environmental changes: Climate change, pollution, invasive species multiplication ➤ Lack of financial sources to realize opportunities <ul style="list-style-type: none"> ➤ Political and economic instability ➤ Low level of awareness of Emerald Network/Natura 2000 among local people and communities <ul style="list-style-type: none"> ➤ Insufficient involvement of Local Public Authorities ➤ Biodiversity degradation: habitat fragmentation and species extinction <ul style="list-style-type: none"> ➤ Private business resilience ➤ Environmental risks and natural disasters ➤ Loss (emigration) of highly qualified personnel

	<ul style="list-style-type: none"> ➤ Lack of necessary methodology for transition to Natura 2000 ➤ Inadequate/ excessive/ unsustainable and abusive management ➤ Insufficient knowledge of transition mechanisms from Emerald Network to Natura 2000
--	---

Source: Developed by EcoContact

7.2.1. Strengths

Overall, from the actual number of respondents and participants to the training sessions, at this point, the competencies and expertise cover the following areas:

- Environmental conservation policies and biosafety
- Ecological chemistry, natural water quality
- Environmental assessment, protected areas, environmental policy
- Ecology and Biology
- GIS, Forestry Research and Management
- Scientific research in zoology
- Forest Products and Forest Tourism Valorisation Service
- Projects and International Relations Programs

Thus, having experts related to environmental protection and representatives of key institutions denotes one of the main assets, together with their interest in enhancing the current situation of the status of Protected Areas.

All four groups had a common vision regarding the strength quadrant, outlining the things that we, as a country, already started in the process of aligning our environmental protection vision with European standards. As such, the existence of the awareness of the need to switch to Natura 2000, along with the existing legal preconditions, reveals an optimistic scenario for its realization, though there is a lot of work to be done in all the segments, from legal framework to “growing” skilled human capital according to new requirements and challenges in the environment and biological security.

7.2.2. Weaknesses

On the reverse side of strengths are the weaknesses identified and acknowledged on a general level. These incentives jeopardize the normal course of the process, transforming into risks if not addressed, and hindering the country's ability to successfully deliver its goal in terms of biodiversity management, protection, and conservation.

The spotted weaknesses mainly rely on the legislative gaps relating to the management of the Emerald sites, together with the lack of specific sampling protocols in the Republic of Moldova for monitoring species and habitats (by categories). This leads to insufficient ready-to-use guidelines, including the best practices and codes of conduct for site managers. Insufficient conservation specialists engaged in the protection and management of Emerald sites results in average to low quality/reliability & accessibility/availability of spatial data (e.g., species distribution and habitat cover) used for ecological assessments and descriptive data (e.g., population size for species, structures, and functions for habitats, pressures, and threats for species, habitats, and sites).

7.2.3. Opportunities

At this point were identified a number of pathways to be followed in order to pursue the desired outcomes. As such, the participants see the opportunities in line with the European approach to environmental protection and biodiversity conservation. Therefore, aligning to the EU standard by adjusting the legal framework accordingly and taking over and applying good practices from neighboring countries constitutes the first step in waves of changes to be done, as looking to clearly demarcate the Emerald areas (sites) and to inform/train the people in charge of their peculiarities in terms of boundaries and administration or development of management plans for Emerald sites and their conservation objectives, along with species mapping and distribution on the site (which makes it difficult to decide on the impact of an economic activity near an Emerald site).

Another set of opportunities regards the operational part, mainly in strengthening the results of cooperation between experts and researchers and the interinstitutional collaboration, for example, for training and preparing human capital to deal with the new trends with respect to the management methodologies to be applied to the protected areas from their region. As well as the stringent need to create a unique institution with clear stipulated responsibilities in the field.

7.2.4. Threats

Most of the threats tend to reflect specific weaknesses as the lack of necessary methodology for transition to Natura 2000 or a low level of awareness of Emerald Network/Natura 2000 among local people and communities that, if not dealt with in a timely manner will become a risk factor on that could generate other issues in terms of the successful result of the system. Also, some general tendencies encountered worldwide as the status of the environment globally indicates negative trends as the biodiversity degradation, that directed to the area of this analysis takes the form of habitat fragmentation and species extinction, and as a cycle, the creation of new ecosystems which are impoverished and have lower value.

Yet, having into focus and addressing the threats depicted above will be a long-term and continuous process, as such identified threats like emigration of qualified personnel represents a big issue in all the areas of expertise at national level, but still there should be developed leverages as financial stability/security and recognition for positions such critical sectors.

Finally, it should be noted that a big constraint for the implementation of such ambitious projects as the transition from Emerald to Natura 2000 are the financial limitations that play an important role.

8. Recommendations on the governance framework of site management and monitoring/reporting of Emerald sites/potential Nature 2000

To guide the implementation of necessary actions for transitioning from the Emerald Network to the Natura 2000 framework, **a priority point system is used**. Tasks are ranked from 1 (Low Priority) to 5 (Critical Priority) based on the following weighted criteria:

- **Urgency:** How soon the task must be completed to avoid delays or legal repercussions.
- **Legal Obligation:** Whether the task is mandated under EU directives or necessary for compliance.
- **Impact:** The degree to which the task supports biodiversity conservation and Natura 2000 readiness.
- **Institutional Feasibility:** Availability of resources and capacity to implement the task in the short-to-medium term.
- **Alignment with EU Accession Goals:** Relevance of the task to the broader EU integration and approximation agenda.

This system enables authorities and stakeholders to prioritize actions in a structured and strategic manner, supporting the roadmap toward full Natura 2000 compliance.

I. Legislative and Administrative Recommendations

Priority 5 – Critical

- Adoption of a comprehensive **Nature Protection Law** by 2026, integrating provisions from the Habitats and Birds Directives.
- Introduce key Natura 2000 concepts (SPA, SAC, favorable conservation status) into national law.
- Mandatory **reporting on species and habitats** every 6 years (Article 17 of Habitats and Article 12 of Birds Directives).
- Creating a **clear institutional framework**, designating a central biodiversity authority with direct responsibilities for Emerald site management.

Priority 4 – High

- Establishing clear **legal derogation mechanisms** with oversight and scientific review (Articles 9 and 16).
- Making **management plans mandatory** for Emerald/Natura 2000 sites with periodic reviews.
- Strengthening **sanctions** in the Contravention and Criminal Code for biodiversity violations.
- Clarifying and **delimiting management responsibilities** between central and local authorities (APLs), including introducing a standardized methodology for Emerald site management.
- **Updated legislation and management plans** to reflect evolving conservation needs, including provisions for periodic revisions approved by the Ministry of Environment.
- Developing a **public education and awareness program**, including training for local public authorities and awareness campaigns for the general population.

II. Institutional Capacity Building

Priority 5 – Critical

- Establishment and operationalization of the **Agency for Protected Areas (APA)** by 2026.
- Comprehensive **training for APA, Environment Agency, and Inspectorate** staff on EU obligations.
- Addressing the **declining skilled workforce** by promoting ecological and natural resource management careers at the educational level and retaining skilled personnel.

Priority 4 – High

- Creation of a **Coordination Council for Natura 2000**.
- Enhancing local governance through **site custodians** and involvement of local authorities.
- Strengthening the **inspection capacity** with dedicated biodiversity subdivisions and inter-agency coordination.
- Creating a **coordination mechanism** between central and local authorities, including integrated information systems for Emerald site boundaries and management.

III. Management Plans and Monitoring Systems

Priority 5 – Critical

- Develop management plans for at least **5 Emerald sites annually until 2027**.
- Establish a **national monitoring program** for species and habitats, coordinated by the Environmental Agency and involving research institutions and local authorities.

Priority 4 – High

- Introduce a **national reporting mechanism** – State of Nature Report every 6 years.
- Engage **scientific and academic communities** via expert working groups and partnerships.
- Develop an **efficient monitoring and evaluation system** covering all Emerald sites, collecting consistent data on habitats and species.

IV. Framework for transition to Natura 2000

Priority 5 – Critical

- Develop a transition roadmap for Emerald–Natura 2000 adaptation.
- Update the post-2020 Biodiversity Strategy with a Natura 2000 integration chapter.

Priority 4 – High

- Participate in regional cooperation and knowledge exchange with other EU and candidate countries.
- Implement communication campaigns targeting stakeholders (farmers, foresters, mayors).
- Prepare a pipeline of biodiversity projects eligible for EU funding post-accession.

Priority 5 – Critical

- Develop a transition roadmap for Emerald–Natura 2000 adaptation.
- Update the post-2020 Biodiversity Strategy with a Natura 2000 integration chapter.

Priority 4 – High

- Participate in regional cooperation and knowledge exchange with other EU and candidate countries.
- Implement communication campaigns targeting stakeholders (farmers, foresters, mayors).
- Prepare a pipeline of biodiversity projects eligible for EU funding post-accession.

V. Technical and Operational Recommendations**Priority 5 – Critical**

- Establish a national GIS-based register of Emerald Network sites, accurately mapping species distribution and site boundaries.
- Develop site diagnosis and official delimitation criteria, supporting field enforcement and management planning.

Priority 4 – High

- Build technical capacity through training in GIS, remote sensing, drones, bioinformatics, and modelling.
- Set up a centralized information centre to store and provide access to protected area data.
- Elaborate tailored protection guidelines for different ecological site types (e.g., riverbed, forest, steppe) to improve conservation effectiveness.

Annex 1: Overview of International Agreements Relevant to Moldova's Biodiversity and Emerald Network

International agreements	Ratification & Implementation Status	Relevance to Biodiversity / Protected Areas	Institutional Responsibilities	Relevance to Emerald Network / Natura 2000
Convention on the Protection and Use of Transboundary Watercourses and International Lakes	Ratified in 1994 and entered into force in 1996.	Promotes integrated water management and protects transboundary aquatic ecosystems, including wetlands and riverine habitats	Ministry of Environment; Water Agency "Apele Moldovei"	Indirect relevance – supports ecological health and hydrological connectivity of Emerald/Natura 2000 sites located in transboundary and riparian zones
Nagoya Protocol on Access to Genetic Resources and their Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity	The Country signed the Protocol in 2016 but did not ratify it.	Ensures access to genetic resources and equitable benefit-sharing, contributing to conservation and sustainable use of species	Ministry of Environment	Indirect relevance – supports sustainable use of species and genetic diversity, a principle aligned with Natura 2000 objectives and long-term site management
United Nations Framework Convention on Climate Change	Ratified by Moldova in 1995; National Climate Change Strategies and NDCs submitted	Addresses climate change mitigation and adaptation; promotes ecosystem-based adaptation and nature-based solutions	Ministry of Environment; National Commission on Climate Change	Indirect relevance – supports long-term resilience of protected areas; highlights the role of Emerald/Natura 2000 sites in climate adaptation and carbon sequestration
Convention on Biological Diversity	Entered into force in 1996; National Biodiversity Strategy and Action Plan (NBSAP) until 2020 was adopted. Currently, the country is in the process of developing a Program with an Action Plan for the	Sets global goals for conservation, sustainable use, and fair benefit-sharing; guides national biodiversity planning	Ministry of Environment	Direct relevance – provides the strategic framework for Emerald implementation and underpins Natura 2000-aligned conservation targets

International agreements	Ratification & Implementation Status	Relevance to Biodiversity / Protected Areas	Institutional Responsibilities	Relevance to Emerald Network / Natura 2000
	period to follow until 2030.			
Kyoto Protocol to the United Nations Framework Convention on Climate Change	Ratified by Moldova in 2003; national GHG inventories and emission reduction strategies submitted	Supports global climate mitigation; promotes sustainable land use and environmental planning	Ministry of Environment	Indirect relevance – contributes to climate stability and adaptive capacity of ecosystems; protected areas act as carbon sinks and support climate mitigation objectives
Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade	It was ratified and entered into force in 2005.	Aims to reduce risks from hazardous chemicals and pesticides; supports safe use practices that protect ecosystems and species	Ministry of Environment Ministry of Agriculture and Food Industry	Indirect relevance – contributes to reducing pollution and harmful substances in and around protected areas, supporting the ecological integrity of Emerald and Natura 2000 sites
Cartagena Protocol on Biosafety to the Convention on Biological Diversity	Entered into force in 2003.	Regulates transboundary movement and use of LMOs to prevent risks to biodiversity and human health	Ministry of Environment	Indirect relevance – supports the precautionary approach and protects the ecological balance of sensitive habitats within and around Emerald/Natura 2000 sites
Stockholm Convention on Persistent Organic Pollutants	Entered into force in 2004.	Aims to eliminate or reduce harmful pollutants that affect environmental and species health	Ministry of Environment	Indirect relevance – contributes to pollution control and protects habitats and species in Emerald/Natura 2000 sites from toxic chemical exposure
Paris Agreement under the UNFCCC	Entered into force in 2017.	Emphasizes climate adaptation, ecosystem resilience, and nature-based solutions	Ministry of Environment; National Commission on Climate Change	Indirect relevance – supports long-term climate resilience of protected areas; encourages integration of biodiversity and ecosystem services in climate strategies linked to Emerald/Natura 2000 management
Convention on Wetlands of International Importance (Ramsar Convention)	Ratified by Moldova in 2000, 3 Ramsar sites designated	Promotes conservation and wise use of wetlands through local, national, and international actions	Ministry of Environment	Direct relevance – supports the protection of wetland habitats that overlap with or complement Emerald and Natura 2000 sites;

International agreements	Ratification & Implementation Status	Relevance to Biodiversity / Protected Areas	Institutional Responsibilities	Relevance to Emerald Network / Natura 2000
				reinforces ecosystem-based management and ecological connectivity
Convention on International Trade in Endangered Species of Wild Fauna and Flora	Ratified by Moldova in 2001; national legal framework established for regulation and enforcement	Regulates trade in endangered species to ensure their survival; reduces illegal wildlife exploitation	Ministry of Environment; Environmental Inspectorate; Customs Service	Indirect relevance – supports species conservation within Emerald and Natura 2000 sites by protecting listed species from overexploitation and illegal trade
Convention on the Conservation of Migratory Species of Wild Animals (CMS)	Ratified by Moldova in 2001;	Promotes conservation of migratory species and their habitats through coordinated international action.	Ministry of Environment	Direct relevance – supports protection of migratory species that rely on Emerald/Natura 2000 sites; strengthens ecological connectivity and cross-border habitat conservation.
Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention)	Ratified by Moldova in 1993, Emerald Network implementation is ongoing in line with Bern's requirements	The core instrument for protecting wild species and natural habitats at the pan-European level	Ministry of Environment	Direct relevance – legal foundation for the Emerald Network in Moldova; aligns closely with EU Birds and Habitats Directives and serves as a preparatory mechanism for future Natura 2000 integration
Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention)	Ratified by Moldova in 1994 and entered into force in 1997, national EIA procedures include transboundary impact provisions	Promotes early environmental assessment of projects that may affect ecosystems, including protected areas	Ministry of Environment; Environmental Agency	Indirect relevance – helps prevent and mitigate cross-border impacts on Emerald/Natura 2000 sites; supports integrated planning and stakeholder participation in project development
Agreement on the Conservation of Populations of European Bats (EUROBATS)	Ratified in 2001.	Aims to protect all European bat species and their habitats through international cooperation	Ministry of Environment	Direct relevance – supports conservation of bat species listed in the EU Habitats Directive; many roosting and foraging habitats fall within Emerald/Natura 2000 sites

International agreements	Ratification & Implementation Status	Relevance to Biodiversity / Protected Areas	Institutional Responsibilities	Relevance to Emerald Network / Natura 2000
Agreement on Cooperation in the Sphere of Ecology and Environment Protection	Ratified in 1992 and active; implementation through joint commissions and working groups	Facilitates transboundary cooperation on environmental protection, including biodiversity and ecosystems	Ministry of Environment; Bilateral/Regional Commissions	Indirect relevance – promotes coordinated action on cross-border habitats and ecosystems that may overlap with Emerald/Natura 2000 sites; enhances ecological coherence and data sharing
Agreement between the Government of Ukraine and the Government of the Republic of Moldova on Joint Management and Protection of Boundary Waters	Signed in 1994; implemented through bilateral commissions and working groups	Ensures sustainable use and protection of transboundary water bodies, contributing to the health of aquatic ecosystems	Ministry of Environment (Moldova); Ministry of Environmental Protection (Ukraine); Joint Water Commission	Indirect relevance – supports ecological integrity of riverine and wetland habitats that overlap with Emerald/Natura 2000 sites; promotes coordinated cross-border ecosystem management
Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA)	Entered into force in 2000.	Focuses on the conservation of migratory waterbirds and the protection of key habitats across their flyways	Ministry of Environment	Direct relevance – many AEWA-listed species occur in Emerald sites; supports habitat protection, connectivity, and coordinated site management in line with Natura 2000 objectives.
Convention on Access to Information, Public Participation in Decision-Making, and Access to Justice in Environmental Matters (Aarhus Convention)	Ratified in 1999 and entered into force in 2001. National legislation ensures public access to environmental information and participation in decision-making	Empowers citizens and civil society to engage in environmental governance and hold institutions accountable	Ministry of Environment; Aarhus Centre Moldova; Environmental Information Platforms	Indirect relevance – facilitates transparent and inclusive decision-making for Emerald/Natura 2000 site designation, planning, and monitoring; supports stakeholder engagement and legal recourse mechanisms
Protocol on Pollutant Release and Transfer Registers (PRTR)	Ratified by Moldova in 2013, the national PRTR system is in place	Increases transparency of pollutant sources; supports pollution reduction near sensitive habitats	Ministry of Environment; Environmental	Indirect relevance – helps monitor and manage pollution risks to protected sites; supports informed decision-making for

International agreements	Ratification & Implementation Status	Relevance to Biodiversity / Protected Areas	Institutional Responsibilities	Relevance to Emerald Network / Natura 2000
Protocol) to the Aarhus Convention			Agency; Aarhus Centre Moldova	Emerald/Natura 2000 site protection and stakeholder involvement
Protocol on Strategic Environmental Assessment (SEA) to the Espoo Convention	Ratified by Moldova in 2010, SEA procedures integrated into national legislation and planning frameworks	Ensures early integration of environmental and biodiversity concerns into policies, plans, and program	Ministry of Environment; Environmental Agency;	Direct relevance – supports proactive biodiversity protection and spatial planning around Emerald/Natura 2000 sites; helps prevent adverse impacts from land-use plans and sectoral strategies
Memorandum of Understanding on the Conservation and Management of the Middle-European Population of the Great Bustard (<i>Otis tarda</i>) (under CMS)	Signed by Moldova in 2001, conservation measures and monitoring obligations recognized	Aims to conserve one of Europe's most threatened bird species through habitat protection, monitoring, and transboundary cooperation	Ministry of Environment;	Direct relevance – supports species listed in Annex I of the Birds Directive; habitats overlap with Emerald sites and align with future Natura 2000 site conservation targets

Source: Developed by EcoContact

