



## UNEP Balkans Technical Report

### Institutional Capacities for Environmental Protection in Albania



November 2000

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## Table of Contents

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<b>Table of Contents</b>	2
<b>1.0 Introduction</b>	3
<b>2.0 General environmental strategies, legal and institutional frameworks</b>	4
2.1 National framework laws	4
2.2 National strategies	4
2.3 Legal framework	5
2.4 Institutional frameworks	7
<b>3.0 Environmental management instruments</b>	11
3.1 Monitoring	11
3.2 Permits and environmental impact assessments	12
3.3 Inspections	12
<b>4.0 Sectoral environmental management practices</b>	13
4.1 Air management	13
4.2 Water management	13
4.3 Waste management	15
4.4 Clean production	16
4.5 Physical planning	17
4.6 Agriculture	17
<b>5.0 Findings</b>	19
<b>Annex 1: Albania Mission Schedule, Sites Visited and Key Contacts</b>	22



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## 1.0 Introduction

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During a mission to Albania between 17-24 September 2000, UNEP experts assessed three aspects of the country's environment: 'hot spots' posing immediate threats to human health and requiring urgent attention; the environmental impacts of refugee influxes during the Kosovo conflict; and the country's institutional capacities to protect and improve its environment. The following is the technical report of the UNEP experts responsible for assessing Albania's institutional capacities for environmental protection – Ms. Sabine Hoefnagel, Mr. Mikko Jokinen, and Mr. Mikko Halonen.

To read the complete UNEP assessment, *Post-Conflict Environmental Assessment—Albania*, please refer to the UNEP Balkans website at: [balkans.unep.ch](http://balkans.unep.ch). To order a hard copy of the report, please call 41 22 917 8064 or write to: UNEP – Balkans, International Environment House, Chemin des Anémones 15, 1219 Châtelaine, Geneva, Switzerland.

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## **2.0 General environmental strategies; legal and institutional frameworks**

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### **2.1 National frameworks laws**

In 1993, the European Union's Phare Programme provided 3.3 million USD to Albania to strengthen the country's environmental institutions and policies. One outcome of this support was the development of the National Environmental Action Plan (NEAP), the first official document articulating the Government of Albania's (the Government) environmental policies.

The NEAP states that the Government should first address the country's economic, legal and institutional framework governing environmental management. It defines tasks for ministries and institutions whose activities impact the environment and foresees a number of legal, administrative, and technical measures, such as:

- establishing a legal framework;
- strengthening institutions;
- introducing economic incentives;
- preventing erosion and rehabilitating the soil;
- promoting reforestation;
- avoiding industrial and urban pollution
- managing natural resources effectively;
- investing in the environment; and
- developing an information structure and strategies for public awareness.

While the country is working toward fulfilling goals under the original NEAP, work has begun to update it. Phare and the World Bank are assisting the process. Working groups are focusing on issues, and stakeholder participation is ensured. Priorities already been identified include:

- improving cooperation among ministries, departments and local authorities;
- establishing environmental structures in key ministries and municipalities;
- improving the country's environmental inspection structure;
- establishing an information system;
- improving environmental information available to NGO's and the public;
- strengthening the environmental impact assessment (EIA) system; and
- completing the country's environmental legal framework.

The main environmental health risks in Albania are posed by water pollution; air pollution from traffic; solid waste and soil contamination; and hazardous substances left in the old industries. In 1999, the Government approved a National Environmental Health Action Plan (NEHAP) developed by the Ministry of Health. The NEHAP identified a number of specific objectives, including:

- improving the country's environmental health information system;
- assessing environmental hazards related to health;
- establishing economic and financial instruments that promote environmental health improvement;
- strengthening environmental health services;
- improving professional training and education;
- enhancing public information; and
- developing research and technologies.

The preparation of local environmental health action plans (LEHAPs) is on the agenda of Ministry of Health. Projects are expected to begin in 2001 in three major cities. It would be advisable to link the development of the LEHAPs to the preparation of local environmental action plans (LEAPs).



## 2.2 National strategies

In 1996, French and Belgian companies prepared national strategies on waste and water under the auspices of the Phare Programme. At the time of writing, only the waste strategy had been adopted by the Government. The various ministries with authority over water policy had not yet agreed on a water strategy.

In 1998, the Ministry of Agriculture and Food developed a “Green Strategy” that sets forth environmental policies for forestry, agriculture, fisheries and aquaculture. The principal goals of the Forestry Strategy are to:

- maintain the integrity of forests, pastures, biodiversity and natural habitats;
- manage and develop forests in a manner that improves their production and ecological functions;
- designate approximately 40% of the country’s forest surface and 60% of its pasture surface for use in communes and sustainable timber exploitation.

Very limited activities have been organized in the field of environmental education. Environmental curricula are not integrated into Albania’s education programs, but the Soros Foundation (Open Society Institute) has funded a project to develop environmental educational materials for schools.

In 1999, a National Biodiversity Strategy and Action Plan was developed.

## 2.3 Legal framework

Albania is in the process of adopting and enforcing a legal framework in the field of the environment. The Government is paying special attention to harmonizing its laws with those of the European Union (EU).

Albania’s environmental legislation is enacted under the authority of Albania’s Constitution and an environmental framework law, the 1993 Law on Environmental Protection. The 1998 revised Constitution provides for further improvement and completion of the legal and institutional framework covering the environment, nature and biodiversity protection. A body of environmental legislation has started to develop with foreign assistance. Most laws are drafted by the legal department of the National Environment Agency (NEA). At the time of writing, the NEA had two members of its legal staff.

The 1993 Law on Environmental Protection provides for the:

- prevention and reduction of pollution;
- conservation of biodiversity;
- rational management of natural resources and avoidance of their over-exploitation;
- ecological restoration of areas damaged by human activities or natural destructive phenomena;
- preservation of ecological balance and the quality of life; and
- maintenance and improvement of the environment.

The law also requires EIAs for all projects and activities that have a significant impact on the environment or are particularly dangerous to human health. Below is a table listing Albania’s major environmental laws.



**Table 1.** Major Environmental Laws of Albania

<b>Major Environmental Laws of Albania</b>
<ul style="list-style-type: none"><li>• Law on the Land and its Distribution (1991)</li><li>• Law on the Forests and the Forest Service Police (1992)</li><li>• Law on City Planning (1993, amended in 1998)</li><li>• Law on Environmental Protection (1993, amended in 1998)</li><li>• Law on Forest Revenue (1993)</li><li>• Law on Plant Protection Service (1993)</li><li>• Law on the Development of Areas with Tourism Priority (1993)</li><li>• Law on the Protection of Medicinal and Taniferous Plants (1993)</li><li>• Law on Construction, Administration, Maintenance, and Operation of Water and Drainage Systems (1994)</li><li>• Law on Hunting and Wildlife Protection (1994)</li><li>• Mining Law of Albania (1994)</li><li>• Law on Fishing and Aquaculture (1995)</li><li>• Law on Pastures and Meadows (1995)</li><li>• Law on Protection by Ionic Radiation (1995)</li><li>• Law on the Protection of Fruit Trees (1995)</li><li>• Law on Public Waste Removal (1996)</li><li>• Law on Water Resources (1996)</li><li>• Law on Water Supply and Sanitation Sector Regulation (1996)</li></ul>

The Government has also developed draft laws on EIAs; the creation of an Eco-Fund; the protection of soil, water, marine quality, air; protected areas; and nature conservation and biodiversity.

Albania's environmental laws are implemented through decisions and regulations that cover such areas as monitoring and the management of hazardous waste and protected areas. Several ministries beside the NEA (and predecessor environmental authorities) have developed regulations affecting the environment, some in cooperation with the NEA. These include a regulation on cooperation among environmental inspectors, forestry inspectors and the police, as well as regulations concerning hygiene and urban planning. In general, the standards and norms contained in the regulations date back to the mid-1970's and need updating.

The biggest problem related to Albania's legal framework, however, is not the development of the laws but their severe lack of implementation and enforcement. These problems are very much related to a general lack of respect for the law. Overall, in fact, environmental issues have been assigned a very low priority in Albanian society. Historically, natural resources were seen as "goods without honor" and were expected to be infinite in supply.

Enforcement of the country's environmental laws is also complicated by the fact that the NEA is not in charge of resource management. These competencies have been assigned to ministries that are focused more on resource utilization than resource protection. Government awareness of the need for greater resource management is evolving slowly.

In addition, the practical mechanisms for enforcement are incomplete and inadequate. Enforcement procedures need to be simplified. For example, only a minority of fines imposed are actually paid, because the remedy for non-payment, confiscation, is a very slow and complicated procedure. The principal enforcement instruments are fines; suspending or closing operations; withdrawing permits; and prosecution under one of the five environmental crimes in the penal code. The 1998



amendments to the Law on Environmental Protection increased fine levels, making it one of the country's few laws authorizing the imposition of fines up to 1 million lekes.

## **2.4 Institutional frameworks**

### *2.4.1 National Environment Agency*

In 1998, the NEA was established as an independent institution reporting directly to the Prime Minister. During prior years, the NEA's functions resided in the Ministry of Health (1992-1998), and a Committee on Environmental Protection under the Council of Ministers (1991).

Article 40 of the 1993 Law N. 7664 provides that the NEA has the following authority:

- to pursue the implementation of the law and the acts of the Council of Ministers about environmental protection issues;
- to assist and have authority over Ministries, other central institutions, local authorities and natural or legal persons for the work they will do applying environmental protection regulations; and
- to prepare draft agreements, protocols, projects and programs that will be implemented in the framework of bilateral and multilateral cooperation with the relevant bodies of other states and international environmental protection organizations, and to ensure their implementation.

The NEA's principal functions are to:

- define the nation's environmental strategy;
- develop and implement nationwide environmental protection efforts, including steps to protect environmental media (e.g., land, air, water, biodiversity);
- approve admissible limits for gaseous, solid and radioactive pollutants discharged into water, air and soil as well as harmful and toxic substances, and
- coordinate activities with other governmental institutions responsible for environmental protection.

The NEA's capacity to manage Albania's environmental challenges is limited. The Agency's 70 professional staff change quite frequently and are not always well qualified. Its share of the Government budget is only 0.01%, and revenues from non-compliance fines and administrative licensing procedures are too small to fund important environmental investments.

In 1994, with the support of the Phare Programme, the Government began preparatory work to develop an environmental fund. A draft law was developed, but the Ministry of Finance resisted the legislation. In 1998, the work was restarted and a study tour of Bulgaria was organized for representatives from the NEA and Ministry of Finance. The Government is currently considering introducing an industrial Eco-tax, the revenues of which would flow into the fund. Work on the draft law and establishment of the Fund is being continued with World Bank support.

The NEA is led by a President, who oversees five directorates and a section:

President

Directorate of Air & Water Quality and Waste Management

Directorate of Nature Conservation and Soil Rehabilitation

Directorate of Project Implementation

Directorate of Service Organization

Directorate of Human Resources

Section of Legislation, Foreign and Public Relations



The NEA also has 12 Regional Environment Agencies (REA). They have responsibility for environmental inspections, monitoring and assessment; enforcing legislation; preparing environmental permits for new activities; and otherwise controlling environmental problems within their territories. Inspections are conducted by 32 REA environmental inspectors and 10 national inspectors, who have jurisdiction over the whole country. The President of the NEA serves as the Chief Inspector. Sometimes the REAs provide technical assistance to the municipalities. The Phare Programme helped to establish the REAs and train its staff in environmental assessment and monitoring.

The NEA does not have an environmental information unit. In 1995, however, it published the country's first State of the Environment (SOE) report. In 1999, the NEA published a second SOE with financial support from the United Nations Environment Programme. The SOE's detail Albania's environmental conditions; pollution factors; natural damages, and the environmental protection policies and programs of the Government and local authorities. Four times a year, the NEA also prepares and distributes 500 copies of an environmental bulletin to ministries, institutions and nongovernmental organizations throughout the country.

During the Summer of 2000, the Albanian Parliament considered the idea of creating a Ministry of Environment. The rationale for this initiative was that, although environmental issues have become more important both in international and national agenda, there is currently no environmental voice within the Council of Ministers. The ministry would also be linked to urban planning and natural resources management decisionmaking. The creation of an environmental ministry would be an important first step toward elevating environmental issues to a higher priority within the Government and the country as a whole. The parliamentary debate resulted in a recommendation that the Government study the issue in greater detail.

#### *2.4.2 Other national institutions with environmental authority*

A large number of Government ministries and agencies have environmental responsibilities. These include:

- Ministry of Agriculture and Food (Directorate of Forests and Pastures);
- Ministry of Health;
- Ministry of Public Economy and Privatization;
- Ministry of Public Works;
- Ministry of Transport;
- Council on Territorial Adjustment;
- Hydrometeorological Institute;
- Institute of Soils;
- National Council on Water; and
- Public Health Institute.

In general, the other Government agencies make a relatively low level of effort to incorporate environmental considerations into their policies. The World Bank's so-called "immediate measures" program started implementation this fall. Under this program (funded at 200,000 USD), environmental units would be established in various ministries and mechanisms would be created to improve their cooperation with the NEA. The project also aims to clarify the roles of the institutions dealing with environmental issues on the district and municipal levels.

The Ministry of Agriculture and Foods (MAF) has a number of responsibilities related to the environment. These include: rehabilitating irrigation works; soil protection; land distribution; plant protection; crop production; livestock management; veterinary services; fisheries management; and agro-processing. The MAF's Directorate of Fisheries manages marine resources and freshwater resources in areas where there is fishing and aquaculture. The MAF's Directorate of Forests and Pastures is responsible for forestry.



In 1996, the National Council on Water was established by Presidential decree. The Council prepares, adopts and supervises the implementation of Albania's National Water Strategy. It also makes proposals to the Council of Ministers regarding permits, standards and limit values.

The Ministry of Health is responsible for hygiene and sanitary inspection via the Public Health Institute. It controls drinking water quality and infectious disease problems. Actual disinfection is a municipal responsibility.

The Ministry of Economy and Privatization (MEP) is responsible for a range of economic activities such as energy, mining, oil, telecommunication and the privatization of all economic sectors. The MEP has an Environment & Safety Department that, until 1997, was mostly an information office. The Department is now acting as a project office.

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Although the MEP has authority for most existing industry, the Government has transferred responsibility for the majority of the country's closed plants to municipalities. (Some closed plants, such as Durres, remain a Government responsibility.) The Government has allocated emergency aid for restoration of the sites, including some funds for the clean up of hazardous wastes.

In general, the privatization of industries is proceeding at a slow pace. New sectors, meanwhile, are starting up activities with the support of foreign investment or joint ventures. It appears that some of these new developments are escaping any form of state control. A related problem is the legal vacuum that exists when polluted properties are sold to private enterprises. The main question is who should be liable for the remediation of pollution caused before privatization: the new investor or government? Similarly, although the country's Law on Privatization prescribes an EIA when ownership of land is transferred, the law does not clarify whether the government or the company is responsible. The Institute of Contemporary Studies, a NGO, has examined possible solutions to these liability issues.

A Parliamentary Committee on Health and Environment has nine expert members, including three former ministers. The Committee passes legislative amendments, assists the NEA in drafting new laws, approves international agreements, promotes the strengthening of the NEA, and organizes debates on environmental issues.

#### *2.4.3 Local authority*

Municipalities have several environmental responsibilities. They manage water supplies, municipal waste and urban green areas. They are also responsible for closed industrial sites.

Currently, however, municipalities have a very small amount of autonomy. Although they collect more than 10 different taxes and fees, only 0.6 % of these remain in their budget. The rest flows to the Government. In Tirana, municipal taxes include: registration tax for buildings; hotel tax; cleaning tax (300 lekes per family, paid by approximately 40-50% of the population); market place tax; advertising tax; veterinary service tax; parking tax; new inhabitants tax; and a new construction tax. In 2000, the Municipality of Tirana had a budget of only 10,000 USD based on these taxes and fees.

A new law on municipalities was passed during 2000. It will decentralize Government responsibilities and establish greater financial power on the local level. Nevertheless, Albania's municipalities are facing serious challenges. The country's population is booming, and cities are growing fast. During the past decade, the amount of park and green area has decreased from 15 sqm/person to 5 sqm/person. Demographic shifts are putting enormous burdens on the country's drinking water supplies. Solid waste volumes are growing fast, and air pollution is increasing due to greater car use.



#### 2.4.4 *Nongovernmental organizations*

There are about 40 environmental NGOs in Albania, of which ten are active. Many of the NGOs are not so much action groups as associations of professionals. Funding for the NGOs comes mostly from the Regional Environmental Center for Albania and the Global Environment Facility (GEF) small grants program. Cooperation and information sharing among the NGOs is not well developed.

Environmental advocacy is nonexistent. There have not been any environmental cases in the courts yet. This seems to be related to the low level of environmental awareness of the public, the country's lack of experience and tradition in environmental advocacy, and the structure of the judiciary. In addition, most media do not have specific environmental reporters, and environmental issues are not widely addressed in newspapers or on TV.

The Environmental Centre for Administration & Technology (ECAT) was created in 1995 with funding from Germany and Italy via the EU LIFE Third Countries Program. (There are also ECATs in Russia, Latvia and Lithuania.) ECAT was established as an advisory body to assist local governmental and non-governmental institutions, industries and educational institutions in the development and implementation of projects to improve the environment. ECAT also seeks to attract international assistance for environmental initiatives and to facilitate the flow of environmental information between Albania and EU member states.



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## 3.0 Environmental management instruments

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### 3.1 Monitoring

The 1995 Decision No. 541, “On Ministries, institutions and legal persons charged with monitoring and environmental control”, articulated the responsibilities for different institutions in the field of monitoring.

The NEA is responsible for coordinating air and water quality monitoring. The Agency does not perform any monitoring by itself. In 2000, the Parliament approved a special budget for environmental monitoring of approximately 40,000 USD. At the time of writing, the Ministry of Finance, had delayed allocating these funds, and they were not expected to be transferred until 2001.

The Institute of Soils, established in 1971, monitors chemical pollution of soil and soil erosion. The Institute also investigates pathological and agro-chemical aspects of the soil. Soil pollution is mainly related to salinization, chemicals and metals. Pollution from the oil industry is also a big problem, affecting approximately 50,000 hectares of land. Albania does yet not have much experience with these problems, and assistance is needed.

Erosion problems are being caused by natural and human factors. Seventy percent of Albania’s territory is mountainous (fields lie on slopes), and the country’s rainfall is concentrated in two periods, during the spring and fall. At the same time, deforestation by humans has been occurring throughout the past 10 years. Buildings are being constructed without any criteria, damaging irrigation infrastructure. Citizens are damaging riverbeds by removing gravel taking. Farmers are using soil improperly, and drainage systems are poorly maintained. The fact that the country’s agricultural land is divided into small plots makes it difficult to achieve much-needed cooperation among the farmers.

Serious investment is needed to curb Albania’s soil erosion problems. The Institute has a modern lab that has received 600,000 USD through a USAID project. The Institute assists farmers in deciding which crops to grow. They also have a mapping service and a GIS system, but it is not working currently due to funding problems. Further assistance may come from Phare.

In 1995, the Public Health Institute (PHI) was created from the former Institute of Hygiene and Epidemiology. The PHI has an environment and health department that is responsible for identifying and diagnosing environmental health risks and assessing their effects on the population. PHI monitors air pollution, drinking water quality, surface water quality and food. Surface waters are monitored on a monthly basis from rivers (20-25 stations), sea (6 stations) and lakes (4 stations). Only basic parameters are measured.

PHI has several shortcomings at this time. Its staff lacks experience in environmental matters and require training. The Institute also does not have the financial resources to analyze or publish the data they collect. Consequently, indicators concerning the relationship between health and the environment have not been established. There is also an absence of coordination between PHI and other agencies (including the NEA, which must purchase data from the Institute). PHI has regional and local branches throughout the country. When a new law on municipalities is implemented, the Institute’s branch offices will become more independent.

The Hydrometeorological Institute (Hydromet) is a part of the Academy of Sciences. With 150 staff and 260 observers, Hydromet’s main activity is providing meteorological services. The country’s meteorological network was established in 1947-48 but badly damaged in the early 1990’s. In the past three years, an environmental department was established. The environmental department performs basic air pollution monitoring at four field stations (in Fier, Corze, Elbasan and Tirana).



Albania is participating in a World Bank project with the Former Yugoslav Republic of Macedonia to monitor Lake Ohrid.

Groundwater is not being monitored.

### **3.2 Permits and environmental impact assessments**

Four different permits are required to commence a new activity in Albania:

- a location permit, issued by the local or central territorial adjustment office;
- a building permit, issued by the Ministry of Public Works;
- an activity permit, issued by the agency responsible for the activity; and
- an environmental permit, issued by the NEA.

Under the Law on Environment, every activity that may impact the environment requires an environmental permit from the NEA. Environmental permits must be requested prior to applying for other permits. The local REA reviews the request documents, prepares a preliminary assessment, and forwards the request to the NEA for final approval. This NEA may invite experts to review the request and impose conditions on the permitted activity.

The Government has also enumerated the activities that require an EIA. Thusfar, only foreign companies investing in Albania have conducted out full EIAs. In most cases where EIAs has been performed, public participation has been limited to input from municipalities, which have been designated as representative of public opinion. NGOs and individual citizens have not participated. A draft EIA law would provide for a greater degree of public participation. The World Bank is supporting the introduction of an EIA system.

### **3.3 Inspections**

Each month, the country's 12 REAs perform an average of ten inspections. Because there is no polluter registry, inspectors use their discretion to determine which companies to inspect. By law, companies are required to provide information on their emissions and discharges to the NEA and the public every three months. So far, companies have not complied with this duty. Very rarely, citizens request inspections. Such requests always receive priority.

The REAs do not have their own laboratories, so analyses are conducted by regional Public Health Institutes labs. The REA regularly cooperates with the forestry and health inspectorates. Cooperation with other regional bodies responsible for environmental matters, however, has not yet evolved.

The REA inspectors meet once a month in Tirana to exchange information. The inspectorate is constrained by a lack of qualified personnel, logistical support and "status" among local authorities. At present, environmental concerns are not a high priority within most municipalities. There are also gaps in the legislation. For example, REA inspectors have no authority over protection of the sea, which is the responsibility of the Ministry of Transport (ports) and the Ministry of Agriculture (fisheries).



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## **4.0 Sectoral environmental management practices**

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### **4.1 Air management**

Albania's current knowledge of air pollution is very limited. The main institutes responsible for monitoring air quality are the PHI, with its 40 branches, and Hydromet. There is some debate between the two agencies regarding overlap of competency. Between 1980-92, Hydromet monitored air quality in 11 cities, measuring SO<sub>2</sub>, NO<sub>x</sub>, dust and soot three times per month. Between 1992-98, no air monitoring was performed. Since 1998, the PHI has monitored air quality (SO<sub>2</sub>, CO and dust). In Tirana, the Institute uses a more advanced measuring station. In the rest of the country, sampling measurements are taken to determine a 15-day average.

The Law on Environmental Protection provides for the adoption of air pollution control programs. During 1998-99, the NEA developed draft laws on clean air and on gaseous emission standards. These laws would obligate polluters to self-monitor and submit periodic reports. They would also encourage the application of cleaner production and best available technologies. Emission standards would be established as either general limit values or special values for particular industries, equipment and plants. The remediation of heavy pollution or accidents would be required, consistent with guidance from Air Protection Authorities.

Due to the closure of most industries in the early 1990's and the change from coal to electricity for heating, SO<sub>2</sub> levels have decreased dramatically. Nevertheless, the enormous increase in motor vehicle traffic (as well as the inevitable return of industry) pose new air pollution challenges for Albania. There is currently no control on fuel quality and no program for phasing out leaded petrol.

A new road code, however, provides auto safety and technical standards as well as stringent air and noise pollution requirements. The Ministry of Transport's general directorate for transport services is responsible for implementing the code through its 12 regional branches. The Ministry has produced testing manuals, established 12 regional testing stations, educated its staff, and begun testing vehicles.

### **4.2 Water management**

In 1996, the Government adopted a Law on Water Resources based on a French model. The law provides for the protection, development, sustainable use and distribution of water resources. It also establishes the institutional framework, at the national and water-basin level, for implementing the water resources policy. In parallel, a national water strategy was developed under the Phare Programme. The Government has not yet adopted the strategy, however, due to the opposition of a number of agencies.

Albania's major water pollution threats are posed by the oil industry, the chemical and mining industries, and urban settlements. Industries, which are not required to monitor their effluents, have historically been the main pollution source. Since the decline of industry in the 1990's, however, municipal waste has become an increasingly big contributor.

At present, there is no wastewater treatment in Albania. Nor do municipalities measure the sources or composition of sewage. A Phare-sponsored wastewater treatment study examined three cities: Tirana, Vlore and Pogradec (near Lake Ohrid). The NEA would like to develop a law that protects surface and groundwater resources and imposes standards for industrial wastewater.

Several Government agencies are currently involved in water management:

The National Council on Water was established to restructure the country's water management. The Council is composed of three main bodies:



- the Council of Ministers, the decision-making body, has representatives from the NEA, Ministry of Public Works, Ministry of Agriculture, and Ministry of Health, and is chaired by the Prime Minister;
- the permanent Secretariat, which is the Council's executive body; and
- drainage basin councils, which are to be located in the country's six river basins.

When the drainage basin councils are established, they will be composed of representatives of the relevant Government bodies, water users and local administration. By law, a national basin plan and separate plans for each basin will be developed. The Secretariat of the Council has begun this work, but river basin management has been slow to gain acceptance.

The Ministry of Public Works oversees the supply of water resources. The Government sets drinking water prices, which may vary regionally. Special municipal committees administer the actual delivery of water locally. In general, the public enterprises managing drinking water supplies and sewerage systems are very small and lack human and financial capacity. The Government is currently preparing a strategy for privatization of the water enterprises.

In Tirana, the average monthly fee for a family is 600 lekes. A large quantity of the City's supply is lost, however, due to broken water mains and illegal connections. The local water company typically bills for only 30-40% of the water distributed. Poor revenue collection, in turn, makes impossible much needed investments in maintenance of the 540-km distribution system. As a result, the situation is worsening continuously. Water supply problems are especially severe during the dry summer months. Drinking water quality is also being compromised by infiltration from leaking sewer mains, creating the potential for outbreaks of diseases.

The NEA coordinates water quality monitoring but has very limited capacity for water protection and management. Since 1990, the monitoring of surface water and groundwater parameters has become much less frequent. As a result, water quality is not well understood in Albania today.

Inconsistencies exist between the Law on Environment and the Law on Water Resources. The NEA is responsible under the framework law for issuing permits for effluent discharges. According to the Law on Water Resources this same responsibility belongs to the National Council on Waters along with the responsibility for issuing permits for water use.

In 1996, the NEA prepared a Coastal Zone Management Plan (CZMP). The CZMP's main objectives are: protecting biodiversity in Albania's coastal areas, including marine habitats and fresh intertidal waters; developing tourism and recreational activities; and strengthening the institutions responsible for coastal zone management in Albania. A draft law on Marine Environmental Protection and Preservation is in development.

The Public Health Institute monitors and controls drinking water quality, but provides limited data to the NEA. Albania's drinking water quality standards conform to World Health Organization standards.

The Ministry of Agriculture and Food is responsible for irrigation water management. The country's irrigation networks suffered greatly from the decline of the state farm system, either through lack of maintenance or outright destruction. A World Bank-funded initiative to rehabilitate the networks and restore their original conveyance capacity is underway.

Since 1991, Albania has cooperated within the framework of the Mediterranean Action Plan – first in MEDPOL Phase II, then, beginning in 2000, in MEDPOL Phase III. Under the Phase II framework,



the University of Tirana's Faculty of Natural Sciences and Hydromet jointly monitored organic pollutants, heavy metals and major water parameters at a number of different sites. Under the Phase III, the Plan has narrowed its scope to ensure that analyses are thorough and comparable among all participating countries.

### **4.3 Waste management**

Although the Government has not identified waste management as a priority issue, it is a major problem for the Albania. There is currently no organized solid waste management at all in Albania.

Official landfills do not exist, so communal waste is brought to municipal dumpsites. The dumpsites threaten public health through contamination of groundwater, soil and air. Most were not selected on the basis of sound environmental criteria. Sometimes they are located close to rivers and coastal areas. The dumpsites are often within close range of villages and are frequented by people and animals that rummage through the burning wastes.

Some waste compacting equipment exists. In general, however, there is a serious lack of capacity to perform any substantive management. The City of Tirana has a small, 22-person company that is responsible for manage its dumpsites.

The municipal waste sites are not monitored. Data on the amounts of waste generated by sector and their material consumption are incomplete. Very little research has examined options for improving production processes and introducing advanced waste reduction technologies. There is also no recycling occurring, except for the unorganized metal, firewood and glass bottle recycling being done by unemployed people at the waste dumps.

Hazardous household waste (e.g., batteries, used oils, etc.) significantly increases the potential risks of domestic wastes. Industrial waste is being discharged mostly on the company property, although in some municipalities it is being dumped at the communal waste sites.

Hospital waste also goes to the communal waste dumps. An incinerator has been installed at a hospital in Tirana with assistance from Italy. At the same time, ECAT is using EU LIFE funding to study the development of a comprehensive medical waste management system for the country. The two projects are not coordinated.

In 1993, a national waste strategy was developed under the Phare Programme. The strategy, which has been adopted by the Government, sets out short-term and long-term objectives for solid waste management. The short-term strategy is to develop a landfill system for municipal waste throughout the country during the next 5-10 years. In the longer term, more sophisticated waste management techniques would be developed. Waste separation, recycling, waste reduction and composting policies should also be developed in the longer term.

The 1996 Law on Public Waste Disposal sets forth the current legal framework for waste management. The Law regulates the collection, transport and clean up of waste in cities. These activities are the responsibilities of the Ministry of Public Works and municipalities. A new law on waste management is to be developed.

In 1997, EU LIFE assessed the solid waste management situation in Albania. Thereafter, proposals were made for the development of official landfills in six municipalities – Lezha, Fier, Elbasan, Pogradec, Korca and Shkoder. Currently, a pilot project for Lezha is under construction with funding from Italy. The other proposals still lack funds.

Private companies under Government contract are performing 80% of Albania's waste collection and transport. Two companies – one Italian, one Austrian – collect Tirana's waste. Areas of the city,



however, including certain districts with new and illegally built housing, are not receiving service. The companies are charging the municipal government according to the size of city areas they are cleaning. In 2000, the fee was 1.2 \$/sqm/year.

Citizens pay an annual fee for waste collection. The fee in Tirana during 2000 was 300 lekes/family. Only 40-50% of families, however, actually paid this fee. Companies pay a small fee, according to the category of waste they supply. In addition, the Ministry of Public Works provides funds to all municipalities for waste management and other public services.

Some hazardous waste management regulations exist. Agricultural pesticides have been the most closely controlled chemicals. For economic reasons, however, very few hazardous pesticides have been imported since 1994. Similarly, the use of fertilizers has virtually collapsed. Today, stocks of obsolete fertilizers and pesticides await removal and safe management. Phare is intending to help the Ministry of Agriculture address this issue.

In 1999, Albania ratified the Basel Convention. The legal framework for management of chemicals and other hazardous substances, however, is incomplete. Indeed, a number of closed chemical companies have stocks of chemicals on their premises that are not safely stored. Similarly, there is no management for used oils and batteries.

#### **4.4 Clean production**

Albania's biological diversity has been damaged, in some cases perhaps irrevocably, by a variety of phenomena. Deforestation; soil erosion; uncontrolled land use, including the rapid urbanization of productive arable lands; the lack of sewage treatment; degraded coastal and surface waters – all of these problems have taken a serious toll on Albania's environment. Human activity – such as illegal hunting and timber cutting of forest, riverbed gravel removal, dynamite fishing and the use of drift nets – is rapidly spoiling Albania's rich natural legacy.

Albania's flora is quite well mapped by the University of Tirana's Biological Institute. The Red Data Book of Albania (Red Book) indicates that 10% of the country's flora is rare or endangered. The country's fauna was also mapped, but less comprehensively. Some 62% of reptiles are considered endangered, according to the Red Book.

Protected areas in Albania encompass 163,561 hectares, or 5,8 % of the national territory. One site, Karavaste lagoon, is protected under the Ramsar Convention. The existing protected areas network is limited, however, and not always representative of the country's highest natural and biodiversity values.

The Ministry of Agriculture's Directorate on Forests and Pastures is responsible for the management of Albania's protected areas. Protection levels are designated according to the 1994 IUCN categories. In general, protected areas management lacks an adequate legal and institutional framework. The Directorates district offices manage the areas without involvement by the NEA. Protected areas management plans do not exist, and the network needs financial resources, staff, training, and more effective administration.

In 1998-99, the NEA developed a Biodiversity Strategy and Action Plan (BSAP) and a First National Report with support from the GEF. Although the BSAP reflects the obligations of the Convention on Biological Diversity (CBD) quite well, it is not very detailed and lacks a clear cost plan. Participation of other ministries and agencies in the BSAP's development has been rather weak. The BSAP has been adopted by the Government but not yet implemented.

In May 2000, a national assessment of the CBD's implementation was conducted under the framework of the UNEP Biodiversity Service. The assessment will support a regional workshop.



New nature conservation and protected areas laws have been developed but not adopted. The new laws and the BSAP aim to increase the protected areas to approximately 15% of Albania's territory.

Forests cover 36% of Albania's surface area, pastures another 15%. The Government owns 95% of the country's forests, but the country's ongoing land distribution is transferring approximately 40% of the forest area to municipal authorities. The wood processing industry has been completely privatized but is not productive at the moment.

The 1992 Forest Act is being amended to strengthen forest protection. Forest management plans formerly did not consider biodiversity. Forest biodiversity protection, which is focused principally on protected areas, is expected to double from 4% to 8% of total forest area.

A World Bank communal forest management project has begun. By 2002, approximately 40% of the country's forest area should be included in communal structures.

#### **4.5 Physical Planning**

During the past ten years, the Ministry of Public Works has seen a shift from uncontrolled development under a weak Government to the strengthening of the state's role, improvement of legislation and a new emphasis on environmental protection. Nevertheless, massive migration to Albania's urban areas continues unabated. The population in Tirana, for example, has grown from 250,000 to an estimated 600,000 since 1990.

Urbanization is creating major problems for Albania's urban infrastructure, which cannot support the increased demand. Uncontrolled and illegal construction is putting unmanageable burdens on resources, facilities and infrastructure. The country is in the midst of a profound electricity crisis, and the water supply and sewerage systems are severely strained. The Ministry of Public Works's construction police are unable to keep up, being severely lacking in finances and equipment. The country's new Law on Urbanization and Regulation on Land-Use Planning, however, may provide some relief by strengthening EIA and environmental protection requirements.

The National Council for Territorial Adjustment oversees physical planning in Albania. The country's existing urban plans date from 1990. The plans need to be updated to account for the many important changes that have occurred in Albania since then – e.g., the proliferation of illegal private buildings, the privatization of land, and the enormous growth of transport.

In the future, local authorities will play an important role in physical planning. In 1998, the Law on City Planning law was amended to address the privatization of land as well as public space issues. Several key changes were made to the law. A new territorial planning system was established within district councils. Environmental engineers or representatives from the REAs now must be included in the district councils. Construction in green areas was totally banned. Investors wanting to cut trees on a piece of land have to replant 5 times the number of trees removed. Penalties for violating the law are much higher. The law also provides that master physical plans must be designed for the whole country, but this work has not yet begun.

#### **4.6 Agriculture**

Albania's agriculture sector has experienced dramatic change since 1990. Collective farming has almost totally collapsed. Private farmers now cultivate 92% of the country's arable land on relatively small pieces (1.2-1.5 hectares) of land. With such small farms it is difficult to succeed in the markets. In valleys and lowlands, the main products are different crops. In the mountain areas, farmers mostly concentrate on livestock production.



The country's economy has affected its farming practices. Because of decreased use of fertilizers, Albania's farmland is slowly losing its fertility. At the same time, however, pesticide use has also decreased, and greater consideration is being given to organic farming. Given the farmers' inexperience at marketing their products, it is not clear that organic farming is an economically realistic alternative for them at the moment.

Albania's mountain farmers used to be wine producers. In the early 1990's most of the country's vineyards were destroyed by farmers. Wine production only started again recently and now covers some 3000 hectares of vineyards.

Since 1992, 200 million USD (40% of it foreign) has been invested in agricultural reform. A number of issues have been addressed, including privatization, property registration and extension services. To date, 92% of the land (540,000 hectares) has been privatized, and 64% has been registered. A law on the administration of land is currently being developed.

The Ministry of Agriculture and Food has established good relations with donor organizations, and numerous projects are ongoing to develop Albanian agriculture and food production. The Ministry has established a unit for to promote sustainable agriculture and monitor the environmental impacts of all international projects.



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## 5.0 Findings

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1. The revision of the National Environmental Action Plan should aim to better integrate environmental management considerations into sectoral policies and investment decisions. Strong priority setting is needed and will help direct donor assistance. (Donors, in turn, should better coordinate their projects and support longer-term strategies to build capacity.) The NEAP revision should also put greater emphasis on raising public awareness.
2. As soon as possible, the Government should adopt and implement the strategies developed on waste, water and biodiversity. Implementation should reflect a comprehensive and strategic vision.
3. Albania has started to rewrite its environmental legislation and has taken considerable first steps toward establishing a sound environmental legal framework. Nevertheless, the existing legal system still needs to be further developed and refined. Specific legislation is needed regarding EIAs, the permitting system, solid and hazardous waste management, and nature protection. Regulations governing air, water and soil standards also need strengthening.
4. The gap in legislation on privatization regarding liability for past environmental damage may cause difficulties when industrial enterprises with a history of environmental pollution are sold. The development of liability provisions for environmental damage is necessary. Creating a clear legal standard could help increase the participation of foreign investors in Albania's privatization efforts.
5. Albania's Government is still very centralized. Most local implementation tasks are the responsibility of the central Government, which has quite weak regional structures. More responsibilities are needed on the local level. Authority over issues such as waste management, clean drinking water, air pollution control, wastewater, and nature protection should be clearly assigned to the municipalities. Increased responsibilities should be accompanied by adequate resources.
6. The environment is still far from being a priority within the Albanian Government. The strengthening of the NEA in 1998 and the establishment of the REAs have been key measures towards building Albania's institutional capacity to manage the environment. In spite of its achievements over the past three years, however, the NEA needs to be greatly strengthened. More resources and trained professional staff are needed. Moreover, although the NEA is not has more institutional power than its predecessor, the Committee on Environment, the Agency is not on the same level as a ministry. This makes it more difficult for the NEA to negotiate on an equal footing with other ministries and agencies. The current institutional arrangement also does not sufficiently unify environmentally relevant activities. Greater integration of the Government's environmental functions could improve coordination and consistency of environmental management operations. The Ministry could be given authority over a number of related issues, such as natural resources or urban planning. The National Water Council could also be added to a Ministry. This situation should be reviewed and the creation of a Ministry of Environment should be strongly considered. A new Ministry should have increased financial power, including a well-functioning Eco-Fund.
7. There are overlaps in the competencies of various agencies and institutions. To determine the best institutional framework for environmental protection a review is needed of all the ministries and institutions involved in environmental policy as well as a clear delineation of responsibilities. Informal cooperation and coordination on the working level should be encouraged among the different ministries. In some cases, contacts with other Ministries may need to be formalized. Working groups on sectoral issues could be established. The



Government should consider creating a special council on sustainable development to ensure high level commitment.

8. In Albania, environmental information is a very weak link in the management chain. Environmental monitoring was discontinued for some years after 1990. Today, available information cannot be easily identified. The monitoring systems in Albania need to be greatly improved and expanded. The overlap of monitoring responsibilities among agencies should be sorted out. A high priority should be given to creating a well functioning environmental information system. All data collection and analysis should be reorganized to ensure the free flow of information among all involved actors on the governmental and non-governmental levels. The process could begin with by publishing an inventory of all relevant environmental databases. Harmonization of data systems and methodologies is a prerequisite. The data should be systematized, integrated and processed for management decisions. The NEA is developing an information office, but further funding will be needed to sustain the initiative.
9. Albania's permitting system does not encourage comprehensive solutions to a site's environmental problems. The imposition of environmental management permit conditions would promote such solutions and could lead to the creation of an integrated permit covering air, water and waste.
10. Environmental management in Albania is greatly hindered by ignorance of the laws and the general lack of law enforcement. Although the country's legal framework is relatively well developed, the procedures for enforcing the laws and regulations are inadequate and need to be simplified.
11. The country's environmental inspectorate should be strengthened with training, equipment and operational means. Inspectors also need improved access to reliable, up-to-date environmental information. As long as accurate and timely information is not regularly available enforcement will remain difficult.
12. A related problem is the low status of the environmental inspectorate. The country's environmental problems cannot be solved as long as the environmental inspectorate and the other inspectors (i.e., municipal, health, forestry, research institutes etc.) are not cooperating to enforce the law. More opportunities for joint professional training, exchanges and workshops for law enforcement staff should be considered.
13. Albania suffers from a severe lack of environmental awareness. Because of the country's many economic and social problems, environmental protection has not been a priority. Sustained environmental awareness campaigns are needed in government and among the public. Schools and universities should develop environmental curricula, including programs designed for various academic fields. Environmental reporting and environmental education for journalists is needed. Albania's environmental NGO movement is still new and its impact on society and the general public is limited. The NGO sector should be strengthened. Implementing the Aarhus Convention would help to streamline laws and regulations, and would improve relations with NGOs and the public at large. Environmental authorities should develop initiatives that promote public cooperation and help solve local environmental problems. Such efforts could instill a sense of environmental stewardship and strengthen the reputation of environmental protection institutions.
14. A national air emission database should be established and updated annually. A nationwide air quality monitoring network should be created to ensure sufficient knowledge of ambient air quality, especially in larger municipalities. Measures should be taken to reduce mobile source emissions (e.g., phase out leaded gas, require catalytic converters).



15. The National Waste Management Plan should be updated and supported by a new law on solid waste management that clearly enumerates municipal responsibilities. Domestic waste quantities can be expected to increase as consumption rises and more households are incorporated in the waste collection network. Plans to establish six new landfills should be implemented as soon as possible. The Government should develop a long-term public education campaign to inform citizens about waste reduction and recycling techniques.
16. National hazardous and industrial waste management legislation is urgently needed. Similarly, the Government should develop a national chemicals management plan
17. The Government should begin to implement the BSAP. A more detailed action plan with costing is needed. Capacity building and cooperation is needed for the sustainable management of natural and biological resources. Soil erosion and deforestation in degraded areas could be combated with landscape rehabilitation and forestation program.
18. The massive migration from rural to urban areas is profoundly affecting Albania's cities. Uncontrolled construction is violating land use plans and degrading the environment. To address these urgent problems, the Government (with private sector input) should develop a national strategy for urban planning, as well as new physical plans, legislation and practices. Urban planning should be decentralized. Clear criteria are needed, and environmental considerations, such as waste and traffic, should be factored into in the process.



## Annex 1: Albania Mission Schedule, Sites Visited and Key Contacts

<b>Date</b>	<b>Sites Visited</b>	<b>Key Contacts</b>
<i>Monday, 18 September 2000</i>	National Environment Agency	Maksim Deliana, Chairman
<i>Tuesday, 19 September 2000</i>	National Environment Agency Directorate of Air, Water & Waste Management.	
	National Environment Agency Directorate of Project Implementation	
	Municipality of Tirana	Buron Kaceli, vice mayor Bujar Harasani, advisor
	Ministry of Health	Dr. Petrit Vasili, Director Dr. Marita Afezolli, Microbiologist
	Parliamentary Committee on Health and Environment	Dr. Tritan Shehu, Commission Member
<i>Wednesday, 20 September 2000</i>	Ministry of Transport	
	Ministry of Public Works	Vladimir Bezhani
	Ministry of Agriculture and Food	Arben Molla, Director,
	Directorate of Forestry and Pastures	Agriculture Programme Office Kole Malaj, General Director
	Secretariat of the National Water Council (Franko Sara)	
	ECAT	Marieta Mima, Head of Office
<i>Thursday, 21 September 2000</i>	National Environment Agency Section of Legislation, Foreign and Public Relations	
	National Environment Agency Directorate of Nature Conservation;	
	Regional Environment Agency Durrës (Agostin Cara)	Agostin Cara Artin Demiri, Agronom Ecologist
	Institute of Soils	Sherif Lushaj
<i>Friday, 22 September 2000</i>	Ministry of Public Economy and Privatization	
	Council on Territorial Adjustment	
	Hydrometeorological Institute	Mitat Sanxhaku, Director



	REC Albania	Alken Myftiu, Project Manager Mihallaq Qirjo, Country Director
	EU/PHARE	Arben Iliriani, Programme Manager
	Worldbank Lake Ohrid Project	Dr. Lirim Selfo, Project Coordinator
	Public Health Institute	Silva Bino Qeramudin Kodra

