



The European Union's IPA Programme for Albania

TECHNICAL ASSISTANCE FOR INTEGRATED SOLID WASTE MANAGEMENT SYSTEM FOR TWO SELECTED MUNICIPALITIES IN ALBANIA

(EuropeAid/138181/DH/SER/AL)

A1_T1.2.2_Legal Assessment

Final Report – June 2017

Service Contract No.: 2017-383-743

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Task T1.2.2_Legal Assessment_Final

Project Title:	TA for Integrated Solid Waste Management System for two Selected Municipalities of Albania - EuropeAid/138181/DH/SER/AL
Financing:	IPA
Reference No:	EuropeAid/138181/DH/SER/AL
Starting Date:	27 March 2017
End Date (Duration):	26 September 2019 (30 months)
Contract Number:	383-743
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Date of report: 01_06_2017 / 12_06_2017

Revision No: -01-

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LIST OF ABBREVIATIONS

ACRONYMS	MEANING
ΔΔΜ	Association of municipalities in Albania
AP	Action Plan
BAT	Best Available Techniques
BATNEEC	Best Available Techniques Not Entailing Excessive Costs
BOT	Built Operate Transfer
CBA	Cost Benefit Analyses
CM	Council of Ministers
DCM	Decision of Council of Ministers
EBRD	European Bank for Reconstruction and Development
EC	European Commission
EIA	Environmental Impact Assessment
EIB	European Investment Bank
€	Euro
EU	European Union
EUD	European Delegation
FS	Feasibility Study
GIS	Geographic Information System
GOA	Government of Albania
GTZ	Gesellschaft fuer Technische Zusammenarbeit (Society for Technical Cooperation for Sustainable Development) = GIZ (since 2011)
IFI	International Financing Institution
IMC	Inter-municipal cooperation
INTF	Integrated Network of Treatment facilities
KfW	Kreditanstalt für Wiederaufbau (German Bank for Reconstruction)
LGU	Local Governmental Unit (= see LSG)
LSG	Local Self Government
LWM	Law on Waste Management
MoE	Ministry of Environment
MoF	Ministry of Finance
MEI	Ministry of European Integration
MTI	Ministry of Transportation and Infrastructure
MUD	Ministry of Urban Development
NEI	National Environment Agency
NPISSA	National Plan for Implementation of SSA
NPEI	National Plan for European Integration
NWMAG	National Waste Management Advisory Working Group (à see PIU)
NWMP	National Waste Management Plan
REC	Regional Environmental Centre for Central and Eastern Europe
PIU	Project Implementation Unit (technical working group = project task force)
PoE	Public owned Entity (owned by local authority=PUC=PUSP)
PPP	Public Private Partnership
PUSP	Public Utility Service Provider
PSC	Project Steering Committee
SAA	Stabilisation and Association Agreement
SME	Small and Medium Size Enterprise



SoE	State owned entity
SW	Solid Waste
SWM	Solid Waste Management
TA	Technical Assistance
TNA	Training Needs Analysis
ToC	Table of Concordance
ToR	Terms of Reference
UNEP	United Nation Environmental Programme
WG	Working Group
WB	World Bank
WHO	World Health Organization
WWT	Waste Water Treatment
ACRONYMS	LIST OF PROJECT RELATED UNITS
Ma	Mega gram = 10^6 gram = 10^3 kg = 1 metric ton



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0 Executive Summary

0.1 Përmbledhje Ekzekutive

0.1.1 Plani i Veprimit i Shqipërisë drejt Integritimit në BE

Që nga qershori i vitit 2006, me nënshkrimin e Marrëveshjes së Stabilizim Asociimit (MSA), Shqipëria ka një plan veprimi drejt anëtarësimit në BE. Plani Kombëtar për Zbatimin e MSA-së 2007-2012, i zgjeruar më pas në Planin Kombëtar për Integrimin Evropian 2015-2020, ngriti në një nivel më të lartë marrëdhëniet midis Shqipërisë dhe BE, veçanërisht në lidhje me kuadrin ligjor të mbrojtjes së mjedisit dhe menaxhimit të mbetjeve të ngurta.

0.1.1.1 Përafrimi me Acquis të BE-së mbi Mjedisin dhe Menaxhimin e Mbetjeve

Shqipëria ka vështirësi të zhvillojë reforma efektive që përpunohen me rekomandimet e BE-së, për shkak të mospërpunimit të institucioneve me realitetin e mjedisit dhe menaxhimit të mbetjeve. Sipas Raporteve Periodike të Progresit të Komisionit Evropian, këta sektorë mbeten të paorganizuar dhe praktikisht të pa zhvilluar mjaftueshëm. Në shtator 2016, u miratua një ndryshim i ligjit të 2011 për menaxhimin e integruar të mbetjeve. Ai synon përafrimin e mëtejshëm me acquis, duke përfshirë importin e mbetjeve, megjithëse vetëm për qëllime riciklimi. Këto ndryshime janë refuzuar me dekret Presidentit dhe për pasojë nuk kanë filluar zbatimin.

0.1.1.2 Detyrime të Tjera që Rrjedhin nga Traktatet dhe Konventat Ndërkombëtare

Shqipëria është anëtare në disa traktate dhe konventa ndërkombëtare relevante për mbrojtjen e mjedisit dhe në veçanti të lidhura me menaxhimin e mbetjeve. Mund të përmendim, Konventën e Aarhus-it, Konventën e Bazelit dhe Marrëveshjen Kuadër të Kombeve të Bashkuara mbi Ndryshimet Klimatike. Këto konventa dhe traktate janë ratifikuar plotësisht nga Republika e Shqipërisë, dhe të gjitha këto ratifikime janë të rregulluara me ligje përkatëse dhe janë përshtatur teknikisht për gjendjen tonë. Shtyllat kryesore të konventave janë qasja në informatat mjedisore, vendimmarrja mjedisore, ose drejtësia mbi çështjet mjedisore, kontrolli i lëvizjeve ndërkufitare të mbetjeve të rrezikshme dhe ulja e emetimit të gazrave serë. Për sa i përket klasifikimit të mbetjeve, Qeveria Shqiptare ka miratuar "Katalogun Shqiptar për Klasifikimin e Mbetjeve" i cili bazohet në Katalogun Evropian të Mbetjeve dhe Konventën e Bazelit me qëllim zvogëlimin e numrit dhe llojeve të mbetjeve që mund të futen në Shqipëri.

0.1.1.3 Kuadri Ligjor i Lidhur me Menaxhimin e Mbetjeve të Ngurta Urbane

Në janar të 2011 Shqipëria ka miratuar Strategjinë dhe Planin Kombëtar për Menaxhimin e Mbetjeve. Strategjia ka për qëllim rregullimin e sektorit të menaxhimit të mbetjeve dhe përafrimin me kushtet e Direktivat e BE-së për mbetjet dhe shtrihet në një periudhë kohore 2010-2025. Strategjia dhe Plani ndahen në dy faza atë të përgatitjes së planeve rajonale/zonave të mbetjeve dhe kornizës së plotë ligjore duke përfshirë transpozimin e plotë të Direktivave të BE-së për mbetjet. Pavarësisht përpjekjeve të Qeverisë Shqiptare për tu përafuruar me kërkesat e BE-së, ende nuk është arritur zbatimi i plotë i Strategjisë dhe Planit. Kështu, me mbështetjen financiare të GIZ-it, Strategjia dhe Plani Kombëtar do të rishikohen përsëri. Rishikimi kërkohet edhe për 7 plane rajonale/zonave të mbetjeve të mbështetura nga INPAEL sepse asnjë nga planet nuk është miratuar nga Këshilli i Ministrave.

0.1.1.4 Ligji 139/2015 "Për Vetëqeverisjen Vendore"

Ligjet 130/2015 "Për Vetëqeverisjen Vendore" dhe 119/2014 "Për ndarjen administrativo-territoriale të njërive të qeverisjes vendore në Shqipëri", i japin bashkive autoritetin për të menaxhuar mbetjet e ngurta dhe mbetjet shtëpiake, për të përdorur instrumente të përshtatshme për menaxhimin e mbetjeve, për të krijuar tarifa që mbulojnë kostot e shërbimit, për të vendosur standardet e tyre duke marrë në konsideratë Kushtetutën dhe Kartën Evropiane të Vetëqeverisjes Vendore.



0.1.1.5 Ligji 10463/2011 “Për Menaxhimin e Integruara të Mbetjeve”

Ligjin 10463, datë 22.9.2011 "Për menaxhimin e integruar të mbetjeve sëbashku me 10 431, datë 9.6.2011 "Për mbrojtjen e mjedisit" kanë ndikuar ndjeshëm në gjendjen e Shqipërisë në lidhje me menaxhimin e mbetjeve. Elementët më të rëndësishëm të ligjit 10463 janë si më poshtë.

Hierarkia e menaxhimit të mbetjeve

Ligji përcakton hierarkinë parësore të menaxhimit të mbetjeve: shpërbërjen, ripërdorimin, riciklimin, rimëkëmbjen dhe trajtimin përfundimtar.

Planifikimi i menaxhimit të integruar të mbetjeve

Plani Kombëtar për Menaxhimin e Integruar të Mbetjeve qëndron në krye të hierarkisë së planifikimit. Bazuar në nenin 11 të ligjit Plani Kombëtar zhvillohet nga ministritë e linjës duke lënë jashtë procesit bashkitë dhe këshillat rajonal. Është e rëndësishme të theksohet se gjatë zbatimit të Strategjisë dhe Planit Kombëtar, janë planifikuar vetëm 7 nga 12 plane rajonale dhe asnjë prej tyre nuk është miratuar në nivel kombëtar. Prandaj, këto plane nuk janë bërë efektive dhe as nuk janë zbatuar. Për të dhënë jetë kësaj gjendje dhe për ta drejtuar atë në rrugën e duhur, DLDP/Helvetas Swiss Intercooperation ka ofruar ndihmë të rëndësishme financiare dhe teknike në hartimin e planeve 5 vjeçare të menaxhimit të mbetjeve.

Mbledhja e diferencuar e mbetjeve të ngurta urbane

Në ligj, siç përcaktohet në nenin 18 pika 3, njësitë e qeverisjes vendore (bashkitë) ngarkohen me detyrimin për të ngritur një sistem të plotë dhe efektiv të grumbullimit dhe diferencimit të mbetjeve deri më 31 dhjetor 2018, në të paktën katër rryma: letra/kartoni, metale, plastika dhe qelqi. Mbledhja, asgjësimi dhe trajtimi i mbetjeve të tjera, rregullohet me rregulla dhe direktiva të tjera nga ato të caktuara për bashkitë.

Menaxhimi i integruar i mbetjeve

Pavarësisht faktit se bashkia jo domosdoshmërisht është prodhuesi i mbetjeve, sipas pikës 12 të nenit 21, kryetari i bashkisë është personalisht dhe plotësisht i detyruar për menaxhimin (planet, veprimet, zbatimin) dhe administrimin (vendimet, objektivat, synimet) e tyre.

Ripërdorimi dhe riciklimi i mbetjeve

Zbatimi i nenit 18 të ligjit ka nxitur hartimin dhe miratimin e një sërë aktesh nënligjore të cilat kanë përcaktuar afate kohore të ndërmjetme si dhe objektiva të rikuperimit dhe riciklimit sipas objektivave të përgjithshëm të Strategjisë dhe Planit Kombëtar. Nga njëra anë pjesa më e madhe e këtyre afateve dhe objektivave nuk janë përmbushur, nga ana tjetër, asnjë prej vendimeve ligjore nuk parashikon burime financiare për të mbështetur ngritjen e Rrjetit të Integruar të Impiantit të Trajtimit të Mbetjeve, pa të cilin përmbushja e tyre afateve dhe objektivave nuk është e mundur.

Trajtimi i mbeturinave

Rikuperimi dhe asgjësimi i mbetjeve urbane rregullohet nga neni 22 dhe kryhet nëpërmjet Rrjetit të Integruar të Impiantit të Trajtimit të Mbetjeve (RIITM), i cili është ngritur në bazë të "Teknikave më të Mira në Dispozicion (TMD)"; megjithatë ligji nuk përcakton kuptimin e RIITM dhe TMD. Ligjet përcaktojnë se në të gjitha rastet, iniciativa, shpërndarja e fondeve dhe lejeve për ndërtimin dhe funksionimin e lëndfillleve dhe incineratorëve është kompetencë e ministrisë përgjegjëse për mjedisin dhe ministrisë përgjegjëse për punët publike, duke përjashtuar çdo përgjegjësi të drejtpërdrejtë të këshillave rajonale dhe/ose bashkive.

Licencimi

Licencimi i personave juridikë dhe fizikë që kryejnë veprimtari në lidhje me trajtimin e mbetjeve të çdo kategorie i ngarkohet ministrisë përgjegjëse për mjedisin, deleguar institucionit të saj nën varësi, Agjencisë Kombëtare të Mjedisit (AKM), në përputhje me ligjin për lejet mjedisore dhe ligjit që rregullon aktivitetin e Qendrës Kombëtare të Biznesit.

Ruajtja dhe raportimi i të dhënave

Bazuar në nenin 55 të ligjit për menaxhimin e integruar të mbetjeve, përgjegjësia për grumbullimin, mbajtjen dhe raportimin e të dhënave për mbetjet i akordohet bashkive dhe në të



njëjtën kohë kërkohet që bashkitë dhe këshillat rajonale të raportojnë çdo vit pranë ministrisë përgjegjëse lidhur me performancën e zbatimit të planeve përkatëse të menaxhimit të mbetjeve. Në nivel kombëtar, statistikat mblidhen, mbahen dhe raportohen nga AKM.

Sanksionet dhe gjobat

Neni 62 i ligjit për menaxhimin e integruar të mbetjeve parashikon një listë të gjatë të sanksioneve për çdo shkelje ligjore ose veprim të paligjshëm lidhur me menaxhimin e integruar të mbetjeve. Në veçanti, pika 11 e këtij neni përcakton se kryetari i bashkisë është drejtpërdrejt përgjegjës dhe gjobitet me një shumë të caktuar, nëse nuk ka zbatuar të gjitha kushtet dhe standardet e nevojshme për të siguruar menaxhimin e integruar të mbetjeve.

Llogaritja e kostos dhe vendosja e tarifave

Bashkitë kanë të drejtë të llogarisin kostot dhe të vendosin tarifa për ofrimin e shërbimit të menaxhimit të mbetjeve. Nuk ka ende një metodologji të unifikuar dhe një udhëzim për qeverisjen vendore për të llogaritur kostot e shërbimit.

Pronësia e mbetjeve

Ligji për menaxhimin e integruar të mbetjeve nuk përcakton pronësinë mbi mbetjet e ngurta urbane. Neni 2 i këtij ligji përcakton se "të gjitha mbetjet sipas përcaktimeve të këtij ligji, pasi të jenë hedhur nga përdoruesi janë pronë shtetërore".

0.1.2

Masa të tjera mbështetëse për zbatimin e kuadrit ligjor

Qeveria jonë gjatë këtyre viteve ka tentuar të rregullojë me ligje të ndryshme autoritetin e NJQV-ve për menaxhimin e integruar të mbetjeve. VKM të ndryshme ngarkojnë përgjegjësi thelbësorë dhe vendosin objektiva dhe afate kohore në lidhje me ndarjen në burim, grumbullimin e diferencuar, zvogëlimin e mbetjeve dhe riciklimin. Para se ligji i ri 107/2014 "Për planifikimin dhe zhvillimin territorial", të hynte në fuqi, NJQV-të vepronin me ligjin e mëparshëm; ndryshimet ligjore përcaktuan nevojën për akte nënligjore të reja, posaçërisht për procesin e rikuperimit, riciklimit dhe kompostimit. VKM 177, është një nga aktet më të rëndësishme në lidhje me reduktimin dhe riciklimin e mbetjeve nga paketimi si dhe vendosjen e afateve të ndalimit të prodhimit, importit dhe tregtimit të qeseve plastike.

0.1.1.6

Ligji nr. 8094, datë 21.03.1996 "Për largimin publik të mbetjeve të ngurta"

Me ligjin nr. 9643, datë 20.11.2006, "Për prokurimin publik", operatorët privatë të shërbimit kanë të drejta të plota për ofrimin e shërbimit të menaxhimit të mbetjeve në Shqipëri. Ligji ka si qëllim të rregullojë menaxhimin e pastrimit, grumbullimin dhe trajtimin e mbetjeve dhe përcakton pronësinë e shtetit mbi mbetjet pas hedhjes së tyre nga përdoruesi. Ligji përbën një pengesë të rëndësishme, duke dekurajuar qeveritë vendore për të kërkuar investime të konsiderueshme private dhe për të përfituar nga dispozitat e ligjeve të tjera si për shembull nga ligji nr. 125/2013, "Për koncesionet dhe partneritetin publik dhe privat", i ndryshuar.

0.1.1.7

Ligji nr. 107/2014 "Për planifikimin dhe zhvillimin e territorit"

Në vitin 2014 është miratuar ligji i ri nr. 107 "për planifikimin dhe zhvillimin e territorit" sipas të cilit objektet e trajtimit të mbetjeve të ngurta urbane përcaktohen objekte të "infrastrukturës publike". Ligji përcakton tre nivele kryesore të planifikimit: nivelin kombëtar, nivelin e këshillit rajonal dhe nivelin bashkiak. Çdo nivel ka përgjegjësi specifike për planifikimin.

Në nivel kombëtar, posaçërisht Këshilli i Ministrave dhe Këshilli Kombëtar Territorial, ka autoritetin për të hartuar dhe miratuar instrumentet kombëtare të planifikimit, duke përfshirë Planin Kombëtar të Zhvillimit, dhe për të hartuar dhe zbatuar plane në lidhje me zhvillimin e zonave dhe sektorëve me interesi kombëtar.

Këshilli i Qarkut ka përgjegjësi të hartojë dhe miratoj plane sektoriale rajonale.

Në nivel bashkiak përgjegjësitë ndahen ndërmjet këshillit bashkiak dhe kryetarit të bashkisë, ku kryetari i bashkisë është përgjegjës për zhvillimin e planit të përgjithshëm vendor. Bazuar në ligj, bashkitë dhe ministritë e linjës mund të marrin iniciativa për të zhvilluar plane, por ato do të miratohen përkatësisht nga këshilli bashkiak dhe Këshilli Kombëtar Territorial.



0.1.1.8 Ligji nr. 7/2017 "Për nxitjen e përdorimit të burimeve të rinovueshme të energjisë"

Ligji 7/2017 "Për nxitjen e përdorimit të burimeve të rinovueshme të energjisë", u miratua nga Parlamenti Shqiptar në fillim të vitit 2017. Ligji i ri ndër të tjera ka për qëllim zvogëlimin e importit të lëndëve djegëse fosile, emetimin e gazrave serrë dhe mbrojtjen e mjedisit. Ligji mbështet prodhimin e energjisë nga biomasa e përcaktuar si pjesë e biodegradueshme e mbetjeve dhe mbetjeve biologjike duke përfshirë mbetjet e ngurta. Ligji nxit ndërtimin dhe funksionimin e objekteve të prodhimit të energjisë me kapacitet deri në 2 MW nga burimet e rinovueshme, nëpërmjet instrumentit "feed in tariff".

0.1.1.9 Përmbledhje Gjenerike e gjetjeve

Problemi kryesor me menaxhimin e mbetjeve në Shqipëri, qëndron në mungesën e një plani të qëndrueshëm institucional dhe teknik të menaxhimit dhe jo në mungesën ose në cilësinë e ligjeve. Ekzistojnë disa aspekte të ligjit dhe akteve nënligjore ku niveli i zbatimit vlerësohet shumë i ulët, si grumbullimi i mbetjeve në nivelet e objektivave të përcaktuara në Strategji, hierarkia e mbetjeve, ndarja në burim dhe riciklimi, sigurimi i zbatimit të ligjit, dhe ngritja e një baze të dhënash të dobishme dhe një sistem efektiv raportimi dhe monitorimi.

0.1.1.10 Përmbledhje specifike e gjetjeve

Në lidhje me boshllëqet dhe mospërputhjet midis pushtetit vendor dhe qendror, kuptimi i roleve të përbashkëta, përgjegjësi dhe kapaciteteve të qeverisë vendore për t'iu përmbajtur kërkesave që rrjedhin nga Direktivat përkatëse të BE-së është i dobët. Sistemi i grumbullimit të mbetjeve nuk është ende plotësisht efektiv, nuk mbulon shumicën e territorit dhe popullsisë së vendit dhe nuk sigurojnë një destinacion të sigurt përfundimtar për trajtimin e mbetjeve

Ligji nr. 8094, datë 21.3.1996 "Për largimin publik të mbetjeve" duhet të shfuqizohet, sepse bëhet pengesë për bashkitë për të kuptuar dhe zbatuar parimet e menaxhimit të integruara të mbetjeve.

0.2 Executive Summary**0.1.3 Roadmap of Albania towards EU Accession**

Since June 2006, with the signing of the Stabilization and Association Agreement (SAA) Albania has a roadmap towards accession in the EU. The National Plan for Implementation of the SAA 2007-2012, later on extended to the National Plan for European Integration 2015 – 2020, brought the relationship between Albania and the EU at a higher level, in particular regarding the legal framework on environment and waste management.

0.1.1.11 Alignment with EU Acquis on Environment and Waste Management

Albania is striving to carry out effective reforms on environment protection and integrated waste management in line with EU recommendations due to an inconsistency between institutions and the reality of environment and waste management in the country. According to the sequential Progress Reports of the European Commission, these sectors remain unorganized and insufficiently developed. In September 2016, an amendment of the 2011 law on integrated management of waste was adopted, aiming to further align the Albanian legal framework with the acquis, including the import of waste, albeit only for recycling purposes. The amendment was rejected by Decree of the President and has hitherto not been enforced.

0.1.1.12 Further Obligations Deriving from International Treaties and Conventions

Albania is member of several international treaties and conventions relevant to environmental protection and waste management; such are Aarhus Convention, Basel Convention and the recent Paris Agreement of United Nations Framework Convention on Climate Change. These Conventions have been fully ratified from the Republic of Albania and legally and technically adapted to the countries context. The main pillars of the conventions are access to environmental information and decision-making, environmental justice, control of trans-boundary movements of hazardous wastes and reducing greenhouse gas emission. Regarding



waste classification, the Albanian Catalogue for Classification of Waste has been approved, according to the European Catalogue of Waste and the Basel Convention, with the purpose to reduce the number and type of waste that enters the Albanian border.

0.1.1.13 Framework Legislation Relevant to Municipal Solid Waste Management

Albania has approved the Strategy and the National Plan for Waste Management in January 2011. The Strategy covers a period of time from 2010 to 2025; it aims at regulating the waste management sector and aligning it with the respective EU directives. The Strategy and the Plan are divided in two phases for preparation of regional / waste zone plans and completion of the legal framework, including the full transposition of the EU directives. As much as GoA has made efforts to align with EU requirements, it has not yet completed the implementation of the Strategy and the Plan. Given that, with the financial support of GIZ the Strategy and the National Plan will be revised again. Revision is required for the 7 regional / waste zone plans supported by INPAEL as none of the plans has been approved by the Council of Ministers.

0.1.1.14 Law 139/2015 “On local self-government”

Laws 130/2015 “On local self-government” and 119/2014 “On the territorial and administrative division of local government units in Albania”, gave the municipalities authority to manage the solid waste and household waste, to use appropriate instruments for waste management, to levy service fees that cover costs, to set up their own standards, taking into consideration the Constitution and in alignment with the European Charter of Local Self- Government.

0.1.1.15 Law 10 463/2011 “On integrated waste management”

Law no. 10463, date 22.9.2011 “On integrated waste management” along with law no. 10431, date 9.6.2011 “On environment protection” have had a major impact on the situation of waste management in the country. The most important components set out in law 10463 are the following.

Waste management hierarchy

Law 10463 defines the priority hierarchy of waste management: prevention, reuse, recycling, recovery and final treatment.

Integrated waste management planning

National Plan for Integrated Waste Management stands at the top of the planning hierarchy of the sector. As stated in the article 11 of law 10463, the National Plan are developed through the ministries at the central level, therefore leaving municipalities and the regional council almost outside of discussion process. It is important to restate that in the course of the implementation timeline of the National Strategy and the Plan, only 7 out of 12 regional plans have been designed and none of them has been approved at the national level; therefore, these plans have never become effective, nor have they been implemented. In order to give oxygen to this situation and to direct it on the right track, DLDP/Helvetas Swiss Intercooperation has provided major financial and technical assistance in integrated waste management planning.

Differentiated collection of municipal solid waste

As defined in Article 18, item 3, of law 10463 local government units (municipalities) are responsible for setting in place a full and effective differentiated waste collection by December 31, 2018, on at least four streams - paper/cardboard, metals, plastics and glass. Collection, disposal and treatment of other waste are regulated by regulations other than those designated to municipalities.

Integrated waste management

Despite the fact that the municipality is not necessarily the waste producer, according to item 12 of article 21 of law 10463, the mayor is personally and fully duty - bound for the management (plans, actions, execution) and administration (decision, objectives, targets).

Reuse and recycling of waste

Implementation of article 18 has triggered design and approval of several bylaws, which have set up intermediary deadlines and recovery and recycling targets based on the overall



objectives as set forth in the Strategy and the National Plan. On the one side, most of the deadlines and intermediate targets have not been met, on the other side, none of the decision or any other law ensure financial aid to support the establishment of the Integrated Network of Treatment Facilities without which achievement of these deadlines and targets is not possible.

Waste treatment

Recovery and disposal of municipal waste is regulated in article 22 of law 10463 is carried out through the Integrated Network of Treatment Facilities (INTF), which is created based on “Best Available Techniques (BAT)”; however, the law fails to detail the meaning of INTF and BAT. The laws define that in all cases, the initiative, allocation of funding and permitting for construction and operation of landfills and incinerators is a competence of the ministry responsible for environment and the ministry responsible for public works, thereby excluding any direct responsibility either of regional councils or of municipalities.

Licensing

Licensing of legal and physical persons that carry out operational activities on waste treatment of any category is a competence of the ministry responsible for environment, delegated to the subordinated Nation Environment Agency (NEI), in accordance with the law on environmental permits and the law that regulates the activity of the National Business Centre.

Data keeping and reporting

Based on article 55 of the law 10463, the responsibility for collecting, keeping and reporting data on waste is vested to municipalities and, at the same time, municipalities and regional councils report annually to the responsible ministry on performance of implementation of respective waste management plans. At the national level, statistics are collected, maintained and reported from NEI.

Sanctions and penalties

Article 62 of the law 10463 sets out a long list of sanctions to any legal breach or illegal act with regard integrated waste management. In particular, item 11 of this article specifies that the mayor is directly responsible and is fined with specified amount unless all necessary conditions and standards to ensure for integrated waste management have become effective.

Cost Calculation and fee setting

Municipalities calculate the costs and levy fees for the delivery of waste management service. There is not yet a unified methodology or legal directive for local government to calculate service costs.

Waste ownership

Law 10463 does not determine the ownership on municipal solid waste. Article 2 of this law specifies that “all waste, according to definitions as in this law, once disposed of, are property of the state”.

0.1.4 Other supporting measures for implementation of framework legislation

Through these years GoA has attempted to regulate the authority of LGUs on integrated waste management. Several DCMs charge substantial responsibilities and set up targets and timing with regard separation at source, differentiated collection and waste reduction and recycling. Before the law 107/2014 “On territorial planning and development” had entered into force, the LGUs operated with the former law in force; the legal changes determined the necessity for amending new by-laws, especially for recovery, recycling and composting. DCM 177 is one of the most important acts with regard reduction and recycling of packaging and waste from packaging and set the deadlines to the ban of production, import and marketing of plastic bag.

0.1.1.16 Law no 8 094, date 21.03.1996 “On the public removal of solid waste”

According to law no. 9 643, date 20.11.2006, “On public procurement” private service operators have full rights on waste management service delivery in Albania. The law regulates management of cleaning, waste collection and treatment and defines ownership of state over the waste after their disposal. The law constitutes an important obstacle, discouraging the local



governments to seek for substantial private investments and to benefit from the dispositions of other legislation including the law no. 125/2013, “On concessions and public and private partnership”, as amended.

0.1.1.17 Law no. 107/2014 “On territorial development planning”

A new law on territorial development planning was approved, according to which facilities for treatment of solid municipal waste are defined among “public infrastructure” objects. The law defines three main levels of planning: national level, region council level and municipal level. Each level has specific responsibilities on planning.

At the national level, specifically the Council of Ministers and the National Territorial Council, have the authority to design and approve the national planning instruments, including the National Development Plan, design and implement plans for development of zones and sectors of national interest.

The regional council has the responsibility to design and approve regional sector plans.

At municipal level responsibilities are divided among the municipal council and the mayor, where the mayor has the authority to take the initiative for the development of the local general plan. Basically, municipalities and ministries of line take the initiative to develop plans at their respective levels; however, eventually these plans are approved only by the municipal council and National Territorial Council, respectively.

0.1.1.18 Law no. 7/2017 “On the promotion of use of renewable energy resources”

A new law 7/2017 “On the promotion of use of renewable energy resources”, was passed by Parliament in 2017. The new law, among other things, aims at reducing the import of fossil combustible matters, emission of greenhouse gasses and environment protection. The law supports production of energy from biomass, defined as the biodegradable part of biological remains and wastes including, municipal waste. The law encourages the construction and operation of energy production facilities with a capacity of up to 2 MW from renewable resources through the instruments of “feed in tariff”.

0.1.5 Generic Summary of Findings

The main problem with the waste management sector in Albania is the lack of a sound institutional and technical management plan and not the lack of or poor quality of laws. There are several aspect of the law as well as bylaws which level of implementation is estimated very low, such as waste collection according to legal targets, waste hierarchy, separation at source and recycling, setting up a useful database and an effective reporting and monitoring system.

0.1.6 Specific Summary of Findings

In terms of gaps and discrepancies between central and local government authorities, the common understanding of the role, responsibilities and the capacities of local government to adhere to requirements as derive from relevant EU Waste Directives are poor. The waste collection system is not yet effective, it does not cover most of the territory and population of country, and neither ensures a safe final destination for waste treatment. Law no. 8094, date 21.3.1996, “On the public removal of waste” needs to be abolished because it becomes an obstacle for municipalities to comprehend and implement integrated waste management principles.



1 Legal Assessment

1.1 Roadmap of Albania towards EU Accession

Albania and EU have signed the Stabilization and Association Agreement (SAA) in June 2006. The SAA entered into force in April 2009; the document represents one of most important initial steps of the roadmap towards EU accession and membership. Following signing of SAA Albania is engaged to gradually introduce the EU acquis in its legal order, including environment protection and in particular to solid waste management as well.

The approximation and law enforcement is carried out under a special Program, which is materialized with the National Plan for the Implementation of the SAA (NPISAA) approved in 2007. The NPISAA is later extended to the National Plan for European Integration (NPEI) 2015 – 2020 as adopted by the Government of Albania (GOA) in 2015. The NPEI is designed with a view to complete approximation of national legislation with the EU acquis and to comply with the standards laid down in all the negotiation chapters of the acquis.

While it retained NPISAA's accession criteria-based structure, adoption of NPEI document in 2015 correlated to the candidate status, which had raised the relationship between Albania and the EU to a higher level. NPEI is more comprehensive and ambitious plan aiming for full approximation of national legislation to the EU acquis by 2020.

On 27 June 2014, the European Council awarded Albania the status candidate country, while the negotiations are still expected to open once Albania has achieved and completed the recommendations as represented by the Council of European Union in its Progress Report on Alban1a of 2015.

1.2 Alignment with EU Acquis Relevant to Environment and Waste Management

Albania is striving to carry out effective reforms that aligned with / achieve EU recommendation. In a number of areas including environment, Albania continued aligning its legislation to the requirements of the EU enhancing thereby its ability to take on the obligations of membership.

Nevertheless, alignment of legislation and in particular law enforcement remains a difficult challenge for Albania. The Ministry of European Integration (MEI) in its Monitoring Report of 2015 releases that in 2015; the NPEI is implemented at a low rate of about 47.3%. The implementation of NPEI is especially low and specifically at the rate of 40% with regard implementation of Article 27 of NPEI, which specifies measures with regard environment protection.

Sequential Progress Reports of European Commission of EU have also noticed moderate progress with regards implementation of measures relevant to environment and waste management, to mention the last one of 2016:

- Legislative alignment with the acquis on waste management is advanced except for the acquis on ship recycling, mining and electronic waste. In September 2016, an amendment of the 2011 law on integrated management of waste was adopted. It aims at further aligning with the acquis as it allows also for the import of waste, albeit only for recycling purposes. Its implementation requires that Albania develops the necessary infrastructure, institutions and a system for monitoring control and reporting of waste movements.
- Waste dumping sites are mapped throughout the country, pending their closure and reclaiming.
- Rules on the control of ship-generated waste from marine transport need to be enforced.

¹ National Plan for European Integration 2016 – 2020 (January 2016), p.18



- Waste segregation is non-existent and waste collection for recycling purposes is largely informal.
- The institutional capacity to manage waste still remains weak at all levels.
- Waste disposal remains largely noncompliant with environmental protection standards. Industrial waste management is poor due to lack of investments and weak law enforcement.
- The national waste management strategy and action plan, approved in 2011 and currently under revision, as well as the regional plans have not been implemented yet.
- The construction of a regional landfill in the Korça region and a feasibility study for Vloëa has started. Albania has approved the construction of two incinerators in Elbasan and Fier.

The opinion as it is expressed in the Progress Report for Albania in 2016, summarise the current situation with regard waste management in the country. However is fundamental to mention that changes of the 2011 law on integrated waste management adopted in September 2016 are rejected by a Decree² of the President of the Republic of Albania (RA). The Decree of the President was not taken into consideration yet from the Parliament; therefore, the changes of the 2011 law as of September 2016 are not hitherto enforced.

1.2.1 Other Obligation Deriving from International Treaties and Conventions

In addition the efforts to fulfil obligations of a candidate country to EU membership, Albania is also part of several international Treaties and Conventions relevant to environmental protection and in particular related to waste management.

Among those most relevant, we will mention the Aarhus Convention, Basel Convention and the recent one of Paris Agreement of United Nations Framework Convention on Climate Change. All as specified in this paragraph and other Conventions (see Annex xx) have been rectified without any reservation from the RA. For the purpose of this report, we will develop further information only to those with higher relevance and specifically connected to municipal waste management.

Albania has rectified the Aarhus Convention as early as October 26, 2000³. As part of this Convention, Albania has approved several laws that aim to the implementation of three main pillars of the Convention: (i) access to environmental information; (ii) access to environmental decision making; and (iii) access to justice with regard environmental issues.

Access to environmental information is regulated by the law no. 10 431-date 9.6.2011 "On environment protection" and parallel to that also from the law no. 119/2014 "On the right of information. Similarly, access to environmental decision-making is ruled by the law "On environment protection" and the specific law no. 10440/2011 "On environment impact assessment", as well as of various bylaws and, in general terms, from the law 146/2014 "On information and public consultation". While, the third and the most important pillar of Aarhus Convention, specifically "access to justice on environmental issues" is regulated also by the Albanian legislation with the law no 49/2012, "On the organization and functioning of the administrative court and the adjudication of administrative disagreements".

Albania has also rectified the Basel Convention, with the law no. 8216/1997 "On the control of trans-boundary movements of hazardous wastes and their disposal". Obligations that derive from the subscription to the Basel Convention are addressed with several laws to include the law "on environment protection" and the sector law no. 10 463/2011 "On integrated waste management". Both laws provide generic rules that regulate administration of hazardous waste.

² Decree nr. 9765, date 14.10.2016, "On the return of law 92/2016 "On some changes to the law 10 463 "ON the integrated waste management", as amended.

³ Law no. 8672, date 26.10.2000 "On the rectification of the Aarhus Convention on the right of public to access of information, to the right of decision - making and to address to the judicial system on environmental issues".



The GOA has approved a specific decision⁴ to design rules for handling and documentation of transportation and disposal of hazardous waste.

The Albanian Government has approved “The Albanian Catalogue for Classification of Waste” with DCM No. 99, date 18.2.2005 and as amended with the DCM No. 579, date 3.9.2014. Both documents take into consideration and are based on the European Catalogue of Waste and the Basel Convention. It is noticed that the Albanian Catalogue is however limited as compared to the Basel catalogue. Limitations have been introduced to somehow reduce the number and type of waste that could enter the Albanian market or even for the purpose of trans-boundary movement of waste.

The general opinion is that although Albania has progressed with the approximation to the requirements of specified Conventions and EU legislation with regard to environment protection, but still enactment of legislation is weak and remains one of the major challenges for the country and allocation of substantial financial resources is however limited.

The Paris Agreement of the United Nations Framework Convention on Climate Change, otherwise the Convention. Albania has ratified the Convention without any reservation in April 22, 2016. In the light of the Convention, although Albania has a low level of gas emission in the atmosphere, the country is engaged to reduce by 11.5 % greenhouse gas emission by 2030. The level of alignment and administrative capacity in the climate change sector is still limited despite some progress on the policy level and on increasing climate awareness. Albania has started to work on a national strategy for climate change, a national action plan for mitigation and a specific law on climate change.

1.3 Framework Legislation Relevant to Municipal Solid Waste Management

The Albanian Constitution considers sustainable development and environment protection as one of the country's main objectives. The Law on Environment Protection, adopted in 2011, provides the basis for specific legal acts that regulate different components of environment protection including integrated waste management.

In the light of constitutional obligations and the EU accession process, Albania has approved the Strategy and the National Plan for Waste Management (The Strategy and the Plan)⁵ in January 2011. The Strategy aims at regulating the waste management sector and aligning with the conditions as set forth by the EU relevant Waste Directives. The strategy extends over a time span of 15 years covering the period of 2010 – 2025.

The 1st phase of the Strategy and the Plan (2010 – 2015) focuses on:

1. Preparation of regional / waste zones plans including support, instruction and trainings for the design of those plans and implementation of some priority projects in the area of waste management, including:
 - i. Institutional arrangements and design of regional waste zone priority plans for Tirana and Elbasan, and
 - ii. Design and implement an emergency plan for hazardous waste and institutional measures to support its implementation.
2. Complete the legal framework including the full transposition of EU Waste Directives.

Major efforts were put from the GoA to the development of legal framework that regulates waste management. Efforts are inspired by the ambitions of the country to align with EU requirements. Preparation of the Strategy and the Plan, design of regional/zonal waste plans and legislation were supported by an EU – IPA 2010 funded project namely “TA for Strengthening the Capacity of the Ministry of Environment in Albania for Law Drafting and Enforcement of National Environmental Legislation (INPAEL)”.

⁴ DCM no. 371, date 11.6.2014 “On the approval of rules and regulations for the delivery of hazardous waste and the documentation for their delivery”.

⁵ Decision of Council of Ministers no. 175, as of January 19, 2011



While progress is made with regard development of legislation, many documents have pointed out that little progress is made relevant to implementation of the Strategy and the Plan. Even the EU Progress Report on Albania, 2016 has pointed out, that “Still the Strategy and the National Plan for Waste Management which are approved in 2011, as well as the regional plans are not implemented”. With financial support from GIZ, the Strategy and the Plan are now under revision and update action, which is expected to be completed by the end of 2017.

In addition of the Strategy and the Plan, INPAEL supported preparation of 7 regional / waste zone planes (Dibër, Kukës, Shkodër, Lezhë, Gjirokastrë, Berat dhe Fier); none of the plans is approved by the Council of Ministers, while only 3 out of 7 have been approved from respective regional councils. Therefore, these plans have never become effective, and since when the plans are designed, they are outdated and ineffective. Revision is required also due to changes that are introduced as result of the Territorial and Administrative Reform (TAR), which took place in 2014 leading to reduction of local government units from 373 units to only 61 municipalities.

An “immediate plan” as presented by the National Committee for Integrated Waste Management in a meeting, which was hold at the Ministry of Environment on March 23, 2017, specifies the requirement for the revision of all 7 regional plans to be carried out until July 2017. However, the “immediate plan” does not specify the resources and responsible authorities, which would take over the work. So, very little or is expected to happen, unless support is provided and appropriate responsibility is allocated.

1.3.1 Law 139/2015 “On local self-government”

Given that this report focuses on the management of municipal solid waste, we have to clearly state that the sector is substantially affected by the law no. 130/2015 “On local self-government” and the effects of the law no, 119/2014 “On the territorial and administrative division of local government units in Albania”.

While the law on territorial and administrative division has led to the reshuffling of local government from 373 units (municipalities and communes) to only 61 municipalities; the law on local self – government has defined that:

- Municipal solid waste management specified as “collection, disposal and treatment of solid household waste” (article 23, item 10), is a municipal function.
- This law gives full authority to municipalities to use appropriate instruments for waste management in order to ensure an affordable combination of access, quality and quantity (article 32, item 1);
- Set up service fees that cover service costs (article 9, item C/b); and
- Set up their own standards at an equal or higher level as compared to those minimal national ones (article 22, item 2,3)⁶. The law that when local government units do not have sufficient financial resources to meet national standards and norms, than central government provides additional financial resources to support them.
- The law requires that the function is executed by taking into consideration the Constitution, in respect with principles of the European Charter of Local Self-Government and the specific sector law(s).

We believe that for this project, but also in general with regard waste management sector, we need to build and embark on a comprehensive understanding on the role, responsibilities and the capacities of local government to cope with requirements of the law on integrated waste management and consequently to the implementation of requirements that derive from relevant EU Directives.

⁶ Minimal national standards at national level are not yet defined



1.3.2 Law 10 463/2011 “On integrated waste management”

In light of the Strategy and Plan implementation, progress has been made with the preparation of the legislation that regulates waste management in Albania. Legal framework that regulates waste management in Albania is provided by the law no. 10 431, date 9.6.2011 “On environment protection” and the law no. 10 463, date 22.9.2011 “On integrated waste management”, as amended. While the law on environment protection is the framework law, the law on integrated waste management represents the law, which regulates the sector of waste management.

It is generally accepted that the law on integrated waste management⁷ fully approximates, otherwise transposes the EU Framework Directive 2008/98/EC.

Waste management hierarchy

The law defines (Article 6) the priority hierarchy of waste management based on the

1. Prevention;
2. Reuse;
3. Recycling
4. Recovery, and
5. Final treatment

The law assumes that in Albania already exist a sound and efficient collection system,, therefore implementation of hierarchy is suggested for implementation. However, regardless the assumption we believe that the waste collection system it is not effective, neither it covers most of the country, therefore waste collection is the most important priority along with implementation of the hierarchy.

Planning process for integrated waste management

Article 10 of the law provides for the hierarchy of waste management planning. National Plan for Integrated Waste Management stands at the top of the planning hierarchy. The process engages the ministry responsible for waste management and other line ministries. As it is stated in the article 11, the National Plan is a process that develops through the ministries at the central level, therefore leaving municipalities and the regional council almost outside of discussion process.

Regional (Qark) planning level stands at the second step of planning process, which is followed by the third level of planning that of municipal level. Article 12 defines that each region designs its own integrated waste management plan incorporating national policies and objectives; Regional plan is approved by the regional council and becomes effective after the approval from the Council of Ministers. Under the same Article (item 2) all local government units are entitled to design local integrated waste management plans, which as third level of planning hierarchy, have to transpose both regional and national level objectives and policies. The local plan is approved from the municipal council and it becomes effective after the approval at the regional council.

It is important to restate that in the course of the implementation timeline of the National Strategy and the Plan, only 7 regional plans have been designed, out of which the respective regional councils have approved only 3 and none of them has been approved at the national level. Therefore these plans have never become effective, nor they have been implemented.

Some municipalities have taken advantage from donor support to design their waste management plans. We will point out here just for illustration, the support of “DLDP Helvetas” activity with funding from Swiss Development and Cooperation (SDC). Under these project assistance is provided to several municipalities including, Shkoder, Lezhe, Puke, Diber, Shijak etc., and Kukës (with EU funding). With the support of DLDP these municipalities have designed 5 year waste management plans. However these plans, although tent to take into

⁷ Taking into consideration yet ineffective law 92/2016, “On some changes on the law 10 463 on integrated waste management”



consideration national objectives, they have failed to take into consideration regional priorities, given that the later have never become effective.

Following the approval hierarchy of planning, should it be working the way it is defined in the law, according to article 12, item 5 and 6, municipalities have to report performance on an annual bases, to the regional councils, whereas the later to the ministry responsible for the implementation of the National Plan.

Effectiveness of plans (article13) at lower hierarchical level depends on the prior approval from the higher authority, so plans at regional level become effective only after approval of the Council of Ministers, whereas, plans at municipal level become effective only after approval at the regional council. Given these situation, the hierarchy of planning was never implemented the way as it is defined in the law. Therefore planning for waste management has been amongst those most very weak points in the overall implementation assessment of the National Strategy and the National Plan.

Differentiated collection of municipal solid waste

Further, in the law, as it is defined in Article 18, item 3, local government units (municipalities) are charged with the obligation to set in place an full and effective differentiated waste collection by December 31, 2018 on at least four streams to include:

- Paper/cardboard;
- Metals (mostly non-ferrous);
- Plastics; and
- Glass

Collection, disposal and treatment of hazardous waste (Chapter V) and other specific streams (Chapter VI), such as: (i) packaging and waste from packaging, (ii) organic sustainable polluters, (iv) batteries and accumulators, (v) cars at the end of life, (vi) electric and electronic waste, (vii) sludge from waste waters, (viii) hospital waste, (ix) animal sub-products, (x) waste from demolition and construction, (xi) used tyres, and others; are regulated by different rules and regulations other than those designated for municipalities, otherwise as defined by the ministry based on a specific decision of the Council of Ministers.

It seems clearly that the municipality is directly responsible only to differentiated collection of four major waste streams, whereas responsibility for collection, disposal and treatment of bio waste, although is a typical household waste, is shared as a responsibility between the ministry, National Environment Agency and municipalities.

Integrated waste management

According to Article 21, integrated waste management is defined as a responsibility of a physical and/or legal person otherwise of the waste producer, based on the extended responsibilities of the waste producer as defined in the article 16 of the same law.

To our understanding, the municipality it is not necessarily the waste producer, therefore responsibilities of local governments with regard integrated waste management are not very clearly set in the law. Nevertheless, according to item 12 of article 21, the mayor is personally and fully duty - bound for the management (plans, actions, execution) and administration (decision, objectives, targets). Controversially, the law 139/2015 on local self-government has defined that collection, transportation, disposal and treatment of waste is a function of the municipality and not specifically a function and therefore nonetheless, a task of the mayor.

Reuse and recycling of waste

Article 18 of law has established the date of 31 December 2018 as the deadline until when municipalities shall set up the system and establish an effective differentiated collection system, at least for four main streams as paper/cardboard, metal, plastic and glass.

Implementation of this article has triggered design and approval of several bylaws, which have set up intermediary deadlines and recovery and recycling targets based on the overall objectives as set forth in the Strategy and the National Plan. In one side, most of the deadlines



and intermediate targets have not been met, suggesting. On the other side, none of the decision or any other law have ensured for financial aid to support establishment of the Integrated Network of Treatment Facilities without which achievement of objectives would not be possible.

Table 1: Deadline for objectives with regards recovery, incineration recycling, and composting according to legal and by-legal acts.

Akti	2015		2017		2019		2020		2025	
	Ricyc.	Comp.	Recovery or Recuperation with energy generation	Ricyc.	Recovery or Recuperation with energy generation	Ricyc.	Ricyc.	Comp.	Ricyc.	Comp.
Unit	%	%	%	%	%	%	%	%	%	%
NPWM	25	25					55	55	75	75
Law 10463										
DCM 418							50 ⁸			
DCM 608								50 ⁹		65 ¹⁰
DCM 177			50-65 ¹¹	25 – 45 ¹²	60 ¹³	55-80 ¹⁴				

Waste treatment

Recovery and disposal of municipal waste is carried out through the Integrated Network of Treatment Facilities (INTF) (Article 22), which is created based on “Best Available Techniques (BAT)”. The law on integrated waste management, but also other laws such as on environment protection and the law on environmental permits, fail to detail the meaning and related responsibilities relevant to creation of INTF and BAT.

Further, the law provides two chapters dedicated to waste treatment through landfilling (Chapter VII) and incineration (Chapter VIII). The law does not recognise any particular responsibility to the municipalities with regard waste treatment, otherwise those responsibilities are vested to physical and / or legal persons that are licensed in accordance to the definitions as of the law 10 448, date 14.7.2011 “On environment permits”.

However, the law defines that (article 45, item 3) that landfills as a rule, are constructed at regional level.

The law does not makes directly municipalities for either recover or final treatment of municipals waist, neither for any other specific waste category. In all cases, the initiative, allocation of funding and permitting for construction and operation of landfills and incinerators is given to the ministry responsible for environment and ministry responsible for public works, excluding of any direct responsibility either regional councils and/or municipalities. The ministries can later transfer operation responsibilities to municipalities by their own decision.

⁸ 50 % of the amount generated in 2014

⁹ In 2025 reduce 50% of the quantity generated in 2014

¹⁰ 65% of the amount generated in 2014

¹¹ Of waste from packaging

¹² Of weight of recyclable materials

¹³ Of waste from packaging

¹⁴ Of weight from packaging



Licensing

Licensing of legal and physical persons that carry out operational activities with regard waste treatment of any category stays with the ministry responsible for environment as delegate to it subordinated Nation Environment Agency (NEI) in accordance with the law on environmental permits and the law that regulates the activity of the National Business Centre.

Although, municipalities are legal person, and many of them carry out waste collection, disposal and treatment, as a direct task either with municipal departments or through municipal companies, still they have not been subject of licensing as defined in the law on environmental permits.

Data keeping and reporting

According to Article 55 of the law on integrated waste management, the responsibility for collecting, keeping and reporting data on waste is vested to municipalities (report performance of implementation of local plan) and other physical and legal entities, which are equipped with environmental permits and licenses to create, transport, trade and waste treatment activities.

However, earlier in the law and specifically Article 12, items 5 and 6 require that municipalities and regional councils report annually to the responsible ministry about performance relevant to implementation of respective waste management plans.

At national level, statistic are collected, kept and reported from NEI.

We might say that the law does not provide for a clear role of the municipalities in the chain of actions with regard data keeping and reporting responsibilities. Tasks, which are clearly spelled out in the law are related only to reporting about planning, while data on differentiated collection of four waste streams, including paper/cardboard, metals (non-ferrous), plastic and glass, assuming also the collection of mixed biodegradable waste are recently enforced by the DCM 687, date 29.09.2015, "On the adoption of rules for keeping, updating and publishing of waste statistics", which requires that:

1. Local government units are responsible for the differentiated collection of waste at source, according to the type, quantity and composition of the waste generated in the territory of the local government unit that they administer.
2. Local Government units are obliged to complete the format of annual statistical reporting Of waste for waste generated in their territory, according to Annex no. 3 of this decision, and send this information to the Qark Council concerned, the National Environment Agency and the Ministry Responsible for Infrastructure / Transport within 31 January of each year.

Sanctions and penalties

Article 62 of the law on integrated waste management provides for a long list of sanctions to any legal breach or illegal act with regard integrated waste management. In particular item 11 of this article specifies that the mayor is directly responsible and is fined with 500,000 ALL to 1,000,000 ALL unless the mayor has become effective all necessary conditions and standards to ensure for integrated waste management.

However, we see the specific aspects of integrated waste management such as for example waste treatment that is realised through the Integrated Network of the Waste Treatment Facilities is not a direct responsibility of the municipality. Neither this is a direct responsibility of the mayor, therefore enforcement of this article is problematic and when implemented has not ensured for sustainable and substantial change in the overall result of waste management in the country.

Cost Calculation and fee setting

Municipalities are entitled to calculate cost and set fees for the delivery of waste management service. They exercise this authority based on the right as it is given to them with the law on local self – government and the new law on local finances. Although they exercise a direct authority, level service fees and rate of collection are very low, There not yet a unified methodology and an instruction for local government to calculate service costs taking into consideration all cost categories including capital, operation and maintenance and depreciation costs and a fee that



shall cover those costs. Enforcement of fee collection system is very weak, therefore instruments that strengthen exercising of this authority need to develop.

Waste ownership

The law on integrated waste management does not provide for any disposition, which spells out any responsibility of ownership on municipal solid waste. Article 2 of this law specifies that “all waste, according to definitions as in this law, after have been delivered are state property”. Controversially, this is spelled out only in the law no. 8094, date 21.3.1996, “On the public removal of waste” which is still in effective since 1996.

Nevertheless, this law contradicts many of the principles as set forth in the law on integrated waste management of 2011, therefore either it should be revised or abolished, so that the sector is fully regulated by the law on integrated waste management.

1.3.3 Other supporting measures for implementation of framework legislation

The law on integrated waste management is followed by several bylaws that have been issued by the government to support its implementation. A full list of legal framework that regulates waste management is attached to annex 2.1 of this document.

These DCMs charge substantial responsibilities and set up targets and timing with regard separation at source, differentiated collection and waste reduction and recycling.

The DCM 418 for example charges LGUs to the implementation of separate collection of waste streams such as paper/cardboard, metal, plastic and glass. The DCM divides LGUs into two categories in accordance to the Law. No. 10.119/2009, “On Territory Planning”. First category include the city of Tirana, Shkodra, Durres, Elbasani, Fier, Vlora, Saranda, Gjirokastra, Berati, Pogradeci, Korça, Lezha, Lushnja, Kukësi, Peshkopia, Laçi, Kamza and Kavaja, and the second category includes the remaining municipalities and communes. Now, the law on territorial planning of 2009 is abolished and replaced with a new law 107/2014 “On territorial planning and development”. Division of LGUs as in the DCM 418 does not exist anymore in the new law on territorial planning and development, therefore revision is required so that confusion is avoided.

In one hand, the DCM 418 enforces deadlines for implementing separate collection as follows:

- 31 December 2016 – Municipality (first category) – to determine appropriate measures for separate collection at least for the following waste streams: paper/cardboard, metal, plastic and glass.
- 31 December 2018 – Municipality (second category) – to determine appropriate measures for separate collection at least for the following waste streams: paper/cardboard, metal, plastic and glass.
- 31 December 2020 – All Municipalities:
 - to achieve the objective of reuse and recycle of minimum 50% of the total weight of the waste generated in 2014 (including paper, metal, plastic and glass);
 - specific objectives to be achieved by local government units for reuse and recycling of waste, by weight, shall be: Paper/cardboard – 60%, Metal – 50%, Plastics – 22.5%, Glass – 60%.

On the other hand, we need to understand that implementation of measures as set forth in these by-laws, with regard recovery, recycling and composting, are in most of the cases outdated. Therefore, these document’s require revision, but not only with regard timing, they perhaps require being designed in such a way that allows for consideration of costs related to infrastructure required to achieving these objectives.

In addition, some of the DCM as above listed, but not only, are designed before the entrance into force of the law on integrated waste management. As such, these by-laws and / or instructions (Instruction no.6 as above stated) are not consistent with the law on integrated waste management; therefore their usefulness when designing regional and local waste management plans is questionable.



DCM 177, it is one of the most important acts with regard reduction and recycling of packaging and waste from packaging. The DCM is applicable for all kind of packaging and waste from packaging which is marketed in Albania, as well as to all waste producers, businesses and institutions that generate municipal solid waste and similar.

Table 2: Legal deadlines with regard start up of differentiated collection of waste and ban on production, import and marketing of plastic bags equal and less than 3 μ

Action/Act	NPWM	Law 10 463	DCM 418	DCM 608	DCM177
Differentiated collection (municipalities center of regions)	-	31.12.2018 ¹⁵	31.12.2106 ¹⁶ 31.12.2018 ¹⁷	31.12.2107 ¹⁸	
Differentiated collection (other municipalities)			31.12.2018 ¹⁹	31.12.2018 ²⁰	
Ban on production/ import and marketing of plastic bags of width equal and less than 30 μ					1.09.2012

The above table summarizes deadlines as set forth DCM 177 on the ban with regard production, import and marketing of plastic bags and deadlines with regard differentiated collection of municipal solid waste. It is obvious that there is a discrepancy between when starts the differentiated collection of bio and recyclable waste when comparing the law on integrated waste management and by – laws (DCM 418 and 608) that have derived from this law. While separation at source and differentiated collection of recyclable waste according to law is due on Dec 31st 2018, the decision respectively 418 and 608 brings it closer on for the municipalities of first category or municipalities that are regional city centres. The same way DCM 608 applies the same deadline for all categories, bringing it also 1 year earlier as compared to the deadline as per the law on integrated waste management.

1.4 Other Laws that Affect Municipal Solid Waste Management in Albania

1.4.1 Law no 8 094, date 21.03.1996 “On the public removal of solid waste”

Most of waste management service delivery in Albania is carried out through outsourcing to private service operators that are selected based on a competitive bases, which is general terms is ruled by the law no. 9 643, date 20.11.2006, “On public procurement”, as amended.

Actually, contracting to third parties is carried out by a specific act that is the law no 8 094, date 21.03.1996 “On the public removal of solid waste”. The law aims at the protection of urban environment from pollution and waste; it also intends to regulate management of cleaning, waste collection and treatment. The law defines ownership of state over the waste after their

¹⁵ All local government units

¹⁶ Municipalities centre of regions

¹⁷ Other municipalities

¹⁸ Municipalities centre of regions

¹⁹ Other municipalities

²⁰ Other municipalities



disposal. The law provides the legal bases for local government to outsource waste management to private operators, is limits the contract timing up to 5 years.

The law does not make any reference, nor it addresses any of the requirements as defined in the relevant EU Waste Directives. Besides, it overlaps and contradicts with principles and definitions of the law on environment protection and the sector law on integrated waste management. Being still effective, the law discourage local governments to seek for substantial private investments and to benefit from the dispositions of other legislation including the law no. 125/2013, “On concessions and public and private partnership”, as amended.

We believe that it is of substantial importance that this law is abolished and local government units take full advantage of article 33 of the law on local self-government..

1.4.2 Law no. 107/2014 “on territorial development planning”

A new law no 107 “on territorial development planning”, is approved in 2014. The law specifies (article 3, 11) that facilities for treatment of solid municipal waste are defined among “public infrastructure” objects.

The law (article 5) defines three main levels of planning:

1. National level:
 - a. Council of Ministers,
 - b. Territory Planning Council
 - c. Line ministry responsible for territorial planning and development.
2. Region council (Qark) level:
 - a. Region council (Qark)
3. Municipal (local) level:
 - a. Municipal council;
 - b. Mayor.

National level (articles to 10) and specifically the Council of Ministers and the National Territorial Council has the authority to design and approval of national planning instruments, including National Development Plan, design and implementation of plans with regard development of zones and sectors of national interest. In addition, national institutions have the authority to develop and enforce implementation of new legislation that regulate planning at other level authorities, including line ministries about sectors they are responsible for, regional and local level.

Responsibilities of the regional council (article 11) are limited to coordination of planning processes at regional level and, when it is the case, to take the initiative and approve regional sector plans.

At municipal level (article 12), responsibilities are divided among the municipal council and the mayor. While the municipal council has the authority to approve the initiative, general local plan and monitor its implementation, the mayor has the authority to take the initiative for the development of the local general plan, and approval of detailed local plans.

Further examination of the law, the authority with regard our particular interest on planning and development waste treatment facilities is ambiguous. When referring to articles 17 – national sector plans and 18 – detailed plans of zones of national interest, we see that waste sector is not include nor in the first, neither in the second referred articles.

Controversially, sector plans at region level (article 19), include planning with regard defining the location and programs for developing “public infrastructure”, inter-alia facilities for treatment of waste and municipality solid waste in particular. The same authority is given to municipalities as well (article 20). However, line ministries might take the initiative to propose and develop plans that are related to issues, sectors and zones of national and/or strategic interest, including in these case, development of waste treatment facilities.



While approval of local general plan and local sector plans develops through a two-step process, including the municipal council and the final approval from the National Territorial Council (NTC), the law does not specify the authority that approves regional sector plans. Nevertheless, the law leaves it to be understood that these plans are approved at the national level and specifically at the National Territorial Council.

According to the law on territorial development planning, it seems that approval of the plans for development and construction of facilities for waste treatment, that might be considered either of national interest, strategic interest, regional or inter-municipal interest lays to the NTC, whereas the approval of plans for development of strictly municipal interest lay to the authority of the municipal council. Consequently, depending on the scale of interest, these two authorities i.e., the NTC and the municipality are the institutions that authorize the issuance of development and construction permits of facilities for waste treatment.

1.4.3 Law no. 107/2014 “on territorial development planning”

A new law 7/2017 “On the promotion of use of renewable energy resources”, is passed by the Albanian Parliament in early 2017. The new law, among other things (Article 1), aims at reducing the import of fossil combustible matters, emission of greenhouse gasses and environment protection. Among other resources, the law (Article 3) supports production of energy from biomass defined as the biodegradable part of biological remains and wastes including municipal and similar kind of solid waste. The law (Article 10) encourage construction and operation of energy production facilities with a capacity of up to 2 MW from renewable resources, including waste, through the instruments of “feed in tariff”. This supporting instrument could encourage investments incinerators and / or landfills therefore production of energy from either heat (Incinerators) or gasses (landfills).

1.5 Main Findings on the Status of Legal framework on Municipal Solid Waste Management in Albania

1.5.1 Generic Summary of findings

In general, as it is very often stated in various reports²¹, the main problem with regard waste management in Albania does not stand with the lack or quality of laws. Rather, it lays with the lack of a sound institutional and technical management plan, which is designed as such as to integrate objectives with target results, which contains a coherent action plan and a clear division of responsibilities, while relies on realistic human and financial capacities.

In this context, there are several aspects of the law and relevant bylaws, which level of implementation is estimated as very low, to mention a few of them:

- Waste collection at the level of targets as set up in the Strategy;
- Waste hierarchy;
- Planning at regional and local level;
- Separation at source and recycling of waste at the level of targets as set by the Strategy and by-law issued to ensure implementation of the law.
- Setting up a sound and a useful database and an effective reporting and monitoring system;
- Rather overlapping allocation of roles and responsibilities of various groups of interest and stakeholders.

1.5.2 Specific Summary of findings

In terms of gaps and discrepancies between central government local government authority, we have drawn the following findings

²¹ Including the Strategy and National Plan of 2011



1. All stakeholder's that operate in the waste management sector, need to build and embark on a common understanding on the role, responsibilities and the capacities of local government as deriving from the law on local self-government, in order that they could cope with dispositions as of the law on integrated waste management and consequently to adhere to requirements as derive from relevant EU Waste Directives.
2. The law on integrated waste management assumes that in Albania already exist a sound and efficient collection system, therefore implementation of waste hierarchy should prevail. However, regardless the assumption, we believe that the waste collection system is not yet fully effective, neither it covers most of the territory and population of country, therefore waste collection is the most important priority while implementing the waste hierarchy.
3. According to the law on integrate waste management, planning process is developed through a top-down inter-related approach, stepping down from the National Plan to the Regional one and then to Local plan. Lower level plans relay on objectives and targets of the higher level plans. While there is already a National Plan, plans at regional level (intermediary level) are not effective, from legal point of view, municipal plans would not be eligible unless regional plans are initially approved and have become effective, therefore representing a major gap in the implementation of integrated waste management plans.
4. While the law on local self – government has defined “collection, disposal and treatment of municipal waste” as an own function, according to law on integrated waste management, the municipality is responsible only to differentiated collection of four major waste streams, whereas responsibility for collection, disposal and treatment of bio waste, although is a typical household waste, is shared as a responsibility between the ministry, National Environment Agency and municipalities.
5. With regard reuse and recycling, in one side, none of the deadline and targets for relevant objectives have been meet, while on the other side none of the decision or any other law have ensured for central government financial aid to support establishment of the Integrated Network of Treatment Facilities without which achievement of objectives would not be possible. Therefore, without ensuring a safe final destination for waste treatment, municipalities would not be capable to ensure integrated waste management.
6. As far as waste treatment, the law does not makes municipalities directly responsible, nor for recover or final treatment of municipals waist, neither for any other specific waste category. Despite for taking the initiative, allocation of funding and permitting for construction and operation of landfills and incinerators is given to the ministry responsible for environment, while the ministry can later transfer it to the municipality.
7. Licensing of activities to any kind of activity relevant to waste management is all central government responsibility. Municipalities are legal person, and many of them carry out waste collection, disposal and treatment, as a direct task either with municipal departments or through municipal companies, still they have not been subject of licensing as defined in the law on environmental permits.
8. With regard data collection and reporting, tasks assigned to municipalities and regions in the law are related only to annual reporting about planning implementation. Reporting responsibilities are extended and enforced to incorporate differentiated collection of four waste streams with the DCM 687, date 29.09.2015, “On the adoption of rules for keeping, updating and publishing of waste statistics”.
9. Waste is state property after it is delivered to the public collection system. State ownership of waste is defined by the law no. 8094, date 21.3.1996, “On the public removal of waste”. However, this law contradicts with the law on integrated waste management, consequently, it becomes an obstacle for municipalities to cope with integrated waste management principles; therefore it needs to be abolished.

Albeit, there could be some legal interventions, which would make the law on integrated waste management more sound and realistic, such as, but not necessarily limited, the following:



- Clear responsibilities for expanding coverage and ensuring waste collection to maximal extend possible;
- Clearly state that implementation of waste hierarchy should be an obligation which is not bypassed or overcome in one or any of the hierarchical steps of solid waste management;
- Revise timing targets and norms relevant to separation at source, reduction and recycling of waste.
- Ensure substantial resources to address key disposal and treatment infrastructure needs beyond those already scheduled for construction of incinerators.
- Clearly define the role and responsibility of various groups of interest and stakeholders

All as above delineated could affect the effectiveness and efficiency of our project results, a common sense on overcoming such obstacles would be necessary to achieve objectives and targets as set forth in this program.

Based on the above analysis of legal framework, the following table summarizes allocation of responsibilities relevant to waste management in Albania, among central government, local government, both regional and municipal, and waste producers.



Table 3: Allocation of responsibilities among central, local government and waste producers with regard integrated waste management

Area subject of responsibility	Level of Authority				Exercising of authority		
	Central Government	Regional Council	Municipality	Waste producer Legal/physical persons	Direct ²²	Indirect ²³	In own right ²⁴
Collection and disposal of municipal waste			•		•		•
Differentiated collection and disposal of bio waste	•		•	•		•	•
Differentiated and disposal of 4 recyclable waste			•	•	•		•
Collection, disposal of hazardous and specific streams	•			•	•		•
Selection and treatment of bio waste	•	•	•	•		•	•
Selection and treatment of recyclable waste	•	•	•	•		•	•
Recovery	•	•	•	•		•	
Collection, disposal and treatment of other specific waste streams including hazardous	•			•	•		•
Planning	•	•	•		•		•
Reporting	•	•	•	•	•		•
Monitoring	•	•	•		•		•
Licensing	•				•		•
Permission	•				•		•
Development and construction permits	•		•		•		•
Licensing Trans-boundary movement	•				•		•
Waste ownership after delivery	•		•		•		•
Cost calculation and fee setting			•		•		•

²² Direct exercising authority of a competence/task is understood to include competence / task for which an authority is directly involved with its delivery

²³ Indirect exercising of authority of a competence / task is understood to include competence / task for which relevant authority are indirectly (not as an own right) involved in the delivery

²⁴ Direct exercising authority of a competence/task is understood to include competence / task for which an authority is directly involved with its delivery



2 Annexes

2.1 Actual Legislation that Regulates Waste Management in Albania

1. Law no. 10 431, date 9.6.2011, "On environment protection", as amended;
2. Law no. 10 463, date 22.9.2011, "On the integrated waste management", as amended with the law 32/2013 and the law 156/2013, "On some changes to the law 10 463/2011 "On the integrated waste management";
3. Law no. 10 444, date 7.7.2011, "On environmental impact assessment";
4. Law no. 10 448, date 14.7.2011, "On environment permits";
5. DCM no. 175, date 19.01.2011, "On the approval of the National Strategy on Waste Management and the National Plan on Waste Management";
6. DCM no. 177, date 6.3.2012, "On packaging and their waste";
7. DCM no. 866, date 4.12.2012, "On batteries, accumulators and waste deriving from them";
8. Normative Act of CM no 3, date 7.9.2011, "On the removal of vehicles and trailers and their spare parts that are out of use and that are stored in the vicinity of national roads";
9. DCM no. 705, date 10.10.2012 "On the management of vehicles at the end of live cycle";
10. DCM no. 765, date 7.11.2012, "On the approval of rules for the differentiated collection and treatment of used oils";
11. DCM no. 798, date 29.9.2010, "On the approval of rules on the administration of hospital waste";
12. DCM no. 178, date 6.3.2012, "On the incineration of waste";
13. DCM no. 452, date 11.07.2012, "On landfills";
14. Instruction no. 6, date 27.11.2007, "On the approval of rules, content and timing for the preparation of plans for management of solid waste";
15. DCM no. 99, date 18.2.2005, "On the approval of the Albanian catalogue for the classification of waste";
16. Regulation no. 1, date 30.3.2007, "On the treatment of construction waste from generation, transportation to disposal and final treatment";
17. Regulation no. 4, date 15.10.2003, "On the request, analysis and approval of the permission for export and transit of waste";
18. DCM no. 333, date 26.2011, "On the administration of regional dumpsites of urban wastes";
19. DCM no. 117, date 13.02.2013 "On the criteria that define when some type of metal scrap ceases to be waste";
20. DCM no. 608, date 17.09.2014, "On necessary measures for the collection and treatment of bio waste and the criteria and timing for their reduction";
21. DCM no. 408, date 25.06.2014, "On the differentiated collection of waste at source";
22. DCM no 1189, date 18.11.2009, "On rules and procedures, design and implementation of the national program for monitoring of environment";
23. DCM no. 687, date 29.5.2015, "On the approval of rule on the maintaining, updating and publication of waste statistics"



2.2 List of International Conventions Relevant to Environment Protection Rectified by Albania

1. **Convention on long-range trans-boundary air pollution, Geneva, 13.11.1979, rectified by Albania on 2.12.2005**
 - Protocol of the Convention on long-range trans-boundary air pollution, on financing long-term programs of cooperation, monitoring and assessment of transmitting at long-range of air pollution in Europe, Geneva, 28.9.1984, rectified by Albania in 6.9.2011;
 - Protocol of the Convention on long-range trans-boundary air pollution, for the reduction of sulphur emissions up to 30%, Helsinki on July 8, 1985, rectified from Albania in 16.6.2009
 - Protocol of the Convention on long-range trans-boundary air pollution, for the reduction of oxide nitrogen (nitrogen) emissions, Sofia on October 31, 1988, rectified from Albania in 16.6.2009
 - Protocol of the Convention on long-range trans-boundary air pollution, for further reduction of sulphur emissions, Oslo on June 14, 1994, rectified from Albania in ?????;
 - Protocol of the Convention on long-range trans-boundary air pollution, for the reduction of acidification, eutrophication and the ozone in the low layer of atmosphere, Gothenburg on November 30, 1999, rectified from Albania in ??????

1. **Vienna Convention for the protection of ozone layer, Vienna, on 22.3.1985; rectified by Albania on 8.10.1999;**
 - Protocol of Montreal for the substances that deplete the ozone layer, Montreal on 16.09.1987; rectified by Albania on 25.5.2006
 - Amendments to the Protocol of Montreal for the substances that deplete the ozone layer, London 29.6.1990, rectified by Albania on 25.5.2006;
 - Amendments to the Protocol of Montreal for the substances that deplete the ozone layer, Copenhagen 25.11.1992, rectified by Albania on 25.5.2006;
 - Amendments to the Protocol of Montreal for the substances that deplete the ozone layer, Montreal 17.9.1997, rectified by Albania on 25.5.2006;
 - Amendments to the Protocol of Montreal for the substances that deplete the ozone layer, Beijing on 3.12.1999, rectified by Albania on 25.5.2006;

2. **Basel Convention on the Control of Trans-boundary movement of water waste and their disposal, Basel on 22.5.1989, rectified by Albania on 26.6.1999;**
 - Amendments to the Basel Convention on the Control of Trans-boundary movement of water waste and their disposal, Geneva on 22.9.1995, rectified by Albania on 27.10.2005;

3. **Convention on Environmental Impact Assessment in a Trans-boundary Context, Finland on 25.2.1991; rectified by Albania on 4.10.1991;**
 - Amendments of the Convention on Environmental Impact Assessment in a Trans-boundary Context, Sofia on 27.2.2001; rectified by Albania on 12.5.2006;
 - Protocol on the Strategic Impact Assessment on the Environmental Impact Assessment in a Trans-boundary Context, Kiev on 21.5.2003; rectified by Albania on 12.5.2006;
 - Amendments of the Convention on Environmental Impact Assessment in a Trans-boundary Context, Cavtat, Croatia on 4.6.2004; rectified by Albania on 12.5.2006;



4. The Convention on the Protection and Use of Trans-boundary Watercourses and International Lakes (Water Convention) was adopted in Helsinki in 1992, and rectified by Albania on 1994;
 - o Protocol on the water and health of the The Convention on the Protection and Use of Trans-boundary Watercourses and International Lakes, London 17.6.1999, rectified by Albania on 8.3.2002;
 - o Amendment to articles 25 and 26 of the Convention on the Protection and Use of Trans-boundary Watercourses and International Lakes, Tirana on 2.5.2014, rectified by Albania on 27.8.2014;
5. Convention on the Trans-boundary Effects of Industrial Accidents, Helsinki on 17.3.1992, rectified by Albania on 5.1.1994;
6. United Nations Framework Convention on Climate Change, New York on 9.5.1992, rectified by Albania on 3.10.1994;
 - o Kyoto protocol on United Nations Framework Convention on Climate Change, Kyoto on 11.12.1997, rectified by Albania on 1.4.2005;
7. Paris Agreement on United Nations Framework Convention on Climate Change, Paris on 12.12.2015, signed by Albania on 24.4.2016;
8. Convention on biologic biodiversity, Rio de Janeiro on 5.6.1992, rectified by Albania on 5.1.1994;
 - o Protocol of Cartagena on the bio-security of the Convention on biologic biodiversity, Montreal on 29.1.2000, rectified by Albania on 8.2.2005;
 - o Protocol of Nagoya on the access on genetic resources and right and equal separation of the benefits that derive from their use of the Convention on biologic biodiversity, Nagoya on 29.10.2010, rectified by Albania on 29.1.2013;
 - o Additional protocol of Nagoya – Kuala Lumpur on the responsibilities and reward of the Cartagena protocol on the Biosecurity on the Convention of Biodiversity of Nagoya, Nagoya on 15.10.2010, rectified by Albania on 29.1.2013;
9. United Nation Convention for the prevention of desertification of those countries that suffer serious drought, especially in Africa, Paris on 14.10.1994, rectified by Albania on 27.4.2000;
10. Convention on access to Information, public information in decision – making and access to justice on environment matters, Aarhus on 25.6.1998; rectified by Albania on 1.8.2000;
11. Protocol on pollutant release and transfer registers to the Convention on access to information, public-participation in decision-making and access to justice in environmental matters, Kiev on 21.5.2003, rectified by Albania on 16.2009;
12. Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade), Rotterdam on 10.9.1998, rectified by Albania on 9.8.2010;
13. Stockholm Convention on Persistent Organic Pollutants, Stockholm on 22.5.2001, rectified by Albania on 4.10.2004;
14. Minamata Convention on Mercury, Kumamoto on 10.10.2013, rectified by Albania on.





The European Union's IPA Programme for Albania



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This project is financed by the European Union
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