

**ALBANIA National Environmental Legislation compare to EU Environmental Legislation\_status\_gaps\_future to come**

While there has been some progress in alignment with acquis in the field of environment, there was very little progress in the field of climate change. Efforts are urgently needed to align, implement and enforce legislation. Public awareness and consultation on legislative initiatives or public investments remain weak. There is a need for greater political commitment and coordinated action in these sectors. Substantial investment is needed while current resources allocated remain limited. Environment needs to be better integrated into other policy areas, such as energy or transport. Concerning climate change, substantial efforts are required on awareness-raising, setting a more strategic approach for the country, aligning with and implementing the acquis, as well as strengthening administrative capacities and inter-institutional cooperation. Preparations in the area of the environment are still at an early stage, whereas preparations in the area of climate change remain at a very early stage.

\*EU progress report for Albania Source: Ministry of European integration: [www.mie.gov.al](http://www.mie.gov.al)

10 chapters of EU acquis	EU legislation Heading	National Legislation corresponding to EU legislation	Compliance and remarks	Sources of legislation
number 1	<b>Horizontal legislation</b>			
	EU Directives 2004/35/EU of the European Parliament "On environmental awareness, prevention and environment damage renovation" amended	Law no. 10431, date 09.06.2011 "On Environmental Protection"	The law is in fully compliance with EU Directive 2004/35/EC of the European Parliament "On environmental awareness, prevention and environment damage renovation" amended. It entered into force on January the 1th 2013. Implementation is still in the beginning phase and no concrete results can be stated	<a href="http://www.moe.gov.al/index.php?option=com_content&amp;view=article&amp;id=51&amp;Itemid=57">http://www.moe.gov.al/index.php?option=com_content&amp;view=article&amp;id=51&amp;Itemid=57</a>
	EU Directive 85/337/EC of the Council "On assessment of public and private projects for environment effects, amended"	Law no. 10440, date 07.07.2011 "On Environmental Impact Assessment"	The law is in fully compliance with EU Directive 85/337/EC of the Council "On assessment of public and private projects for environment effects, amended". The law entered into force on January the 1th 2013. Monitoring of implementation is still in the beginning phase and no concrete results can be stated	<a href="http://www.moe.gov.al/index.php?option=com_content&amp;view=article&amp;id=51&amp;Itemid=57">http://www.moe.gov.al/index.php?option=com_content&amp;view=article&amp;id=51&amp;Itemid=57</a>
	EU Directive 2008/1/EC of European Parliament and the Council "On control and prevention of integrated pollution", amended	Law no. 10448, date 14.07.2011 "On environmental permitting"		<a href="http://www.qbz.gov.al/botime/fletore_zyrtare/2011/PDF-2011/105-2011.pdf">http://www.qbz.gov.al/botime/fletore_zyrtare/2011/PDF-2011/105-2011.pdf</a>



	EU Directive 2001/80/EC of European Parliament and the Council "On the limitation of emissions of certain pollutants into the air from large combustion installations"			
	EU Directive 2001/42/EC of European Parliament and the Council " On assessment of environmental impacts of defined plans and programs"	Law no. 91/2013, date 28.02.2013 "On Strategic Environmental Assessment"	The law is in fully compliance with EU Directive 2001/42/EC of European Parliament and the Council " On assessment of environmental impacts of defined plans and programs". The law entered into force in Spring 2013. No records for the implementation of the law. However, during preparation of different urban plans, it was required that e SEA report shpuld follow the plan for it to be approved	<a href="http://www.moe.gov.al/index.php?option=com_content&amp;view=article&amp;id=51&amp;Itemid=57">http://www.moe.gov.al/index.php?option=com_content&amp;view=article&amp;id=51&amp;Itemid=57</a>
2	<b>Air quality</b>			
	To be checked against relevant EU Regulations/ Directives	Law no. 8897, date 16.05 2002 "On air protection from pollution" and law no.28/2013 "On some changes for the law no. 8897, date 16.05.2002"	No concrete progress is done to align air quality legislation with aquis. The new legislation is still in preparation phase	<a href="http://www.moe.gov.al/index.php?option=com_content&amp;view=article&amp;id=51&amp;Itemid=57">http://www.moe.gov.al/index.php?option=com_content&amp;view=article&amp;id=51&amp;Itemid=57</a>
3	<b>Wate management</b>			
	EU Council Regulation no. 333/2011, "On defining criteria when certain metal scrap cease on being waste"	DCM, no. 117, date 13.02.2013 "On main criteria defining when some sort of scrap metal cease to be waste"		<a href="http://www.qbz.gov.al/botime/fletore_zyrtare/2013/PDF-2013/21-2013.pdf">http://www.qbz.gov.al/botime/fletore_zyrtare/2013/PDF-2013/21-2013.pdf</a>
	EU Directive 2008/98/EC of European Parliament të Parlamentit European and Council, date 19.11.2008 "On Waste" serie L, no. 312, date 22.11.2008, pg 3-30	DCM no.765, date 7.11.2012 "On approval of rules for differnate collection and treatment of used oils"	Till now there are no records of implementation cases of the DCM	
	EU Directive 2000/53/EC of Parliament and European Council, date 18 September 2000 "On end-life vehicles"; Official Journal L 269, 21/10/2000 P. 0034	DCM no. 705, date 10.10.2012 "On end life vehicle waste management"	The DCM has been approved, but yet there are no concrete records of implementation results	<a href="http://qbz.gov.al/botime/fletore_zyrtare/2012/PDF-2012/143-2012.pdf">http://qbz.gov.al/botime/fletore_zyrtare/2012/PDF-2012/143-2012.pdf</a>
	EU Directives 1999/31/EC, date 26.04.1999 "On waste landfills" (31999L003. OJ L 182/1, date 16.7.1999, and decision of council 2003/33/EC of 19.12.2002, "On criteria and procedures for admission of waste in landfills"	DCM no. 109, date 11.07.2012 "On waste landfills"		<a href="http://qbz.gov.al/botime/fletore_zyrtare/2012/PDF-2012/109-2012.pdf">http://qbz.gov.al/botime/fletore_zyrtare/2012/PDF-2012/109-2012.pdf</a>



	EU Directive 94/62/EC of European Parliament and Council "On package and packaging waste" entered into force 31.12.1994, amended with EU Directives 2004/Directive 2004/12 of European Parliament and Council	DCM, no.177, date 06.03.2012 "On package and packaging waste"	On 1st September 2012, based on the DCM there was not allowed to be imported non-biodegradable plastic and after 1st January 2013 non-biodegradable plastic is not allowed to be used or trade in the Albania market. So far still non-biodegradable plastic is being used in the Albania market and no restriction are being taken	<a href="http://qbz.gov.al/botime/fletore_zyrtare/2012/PDF-2012/33-2012.pdf">http://qbz.gov.al/botime/fletore_zyrtare/2012/PDF-2012/33-2012.pdf</a>
	To be checked against relevant EU Regulations/Directives	DCM no.550, date 22.8.2012 "On the approval of waste list allowed to be imported for reusage, recycling and treatment purposes"		<a href="http://qbz.gov.al/botime/fletore_zyrtare/2012/PDF-2012/122-2012.pdf">http://qbz.gov.al/botime/fletore_zyrtare/2012/PDF-2012/122-2012.pdf</a>
	EU Directive 2007/76/EC "On waste incineration", 32000L0076, OJ L 332, p. 91-111	DCM, no.178, date 06.03.2012 "On incineration of waste"		<a href="http://qbz.gov.al/botime/fletore_zyrtare/2012/PDF-2012/33-2012.pdf">http://qbz.gov.al/botime/fletore_zyrtare/2012/PDF-2012/33-2012.pdf</a>
	EU Directive 2008/98/EC "On Waste"	DCM, no. 175, date 19.01.2011 "Approval of National Strategy and national plan of waste management"		<a href="http://qbz.gov.al/botime/fletore_zyrtare/2011/PDF-2011/36-2011.pdf">http://qbz.gov.al/botime/fletore_zyrtare/2011/PDF-2011/36-2011.pdf</a>
	EU Directive 2008/98/EC of European Parliament and European Council "On Waste", which repeals some Directives	Law no. 10462, date 22.11.2011 "On Integrated Waste Management" and law 32/2013 "On some changes and additions for the law no.10462 on integrated waste management"	The law is in fully compliance with EU Directive 2008/98/EC of European Parliament and European Council "On Waste", which repeals some Directives. Since the law entered into force several regulations and bylaws entered into force and others are in preparation phase, but still waste import is an issue in the country. By the beginning of 2014 there should be held a referendum to exclude or not from the law articles stating waste import. Private companies who obtained licence to import waste are working, but no official data on the implementation status (efficiency, accountability etc)	<a href="http://www.moe.gov.al/index.php?option=com_content&amp;view=article&amp;id=51&amp;Itemid=57">http://www.moe.gov.al/index.php?option=com_content&amp;view=article&amp;id=51&amp;Itemid=57</a>
<b>4 Water quality</b>				
	EU Directive 2000/60/EC of European Parliament and Council "Establishment of a legal framework for community actions on water policies"	Law 111, date 03.11.2012 "On integrated management of water resources"	The law has recently entered into force, but till now there were no records of concrete implementation	<a href="http://www.moe.gov.al/index.php?option=com_content&amp;view=article&amp;id=51&amp;Itemid=57">http://www.moe.gov.al/index.php?option=com_content&amp;view=article&amp;id=51&amp;Itemid=57</a>
	To be checked against relevant EU Regulations/Directives	Law no. 9115, date 24.07.2003 "On treatment of waste water"	The law was approved before the Stabilization and Association Agreement entered into force on 1st April 2009. In the country there are several waste water treatment plant. The law needs to be revised to adopt some EU legislation articles	<a href="http://www.moe.gov.al/index.php?option=com_content&amp;view=article&amp;id=51&amp;Itemid=57">http://www.moe.gov.al/index.php?option=com_content&amp;view=article&amp;id=51&amp;Itemid=57</a>
	To be checked against relevant EU Regulations/Directives	Law no. 8905, date 06.06.2002 "On protection of marine environment from pollution and damages"		<a href="http://www.moe.gov.al/index.php?option=com_content&amp;view=article&amp;id=51&amp;Itemid=57">http://www.moe.gov.al/index.php?option=com_content&amp;view=article&amp;id=51&amp;Itemid=57</a>
<b>5 Nature protection</b>				
	To be checked against relevant EU Regulations/Directives	Law nr. 9279, date 23.09.2004 "To adhere Republic of Albania on Cartagena protocol for biosecurity of "Biological diversity convent"		<a href="http://www.moe.gov.al/index.php?option=com_content&amp;view=article&amp;id=51&amp;Itemid=57">http://www.moe.gov.al/index.php?option=com_content&amp;view=article&amp;id=51&amp;Itemid=57</a>



	To be checked against relevant EU Regulations/Directives	Law no. 9103, date 10.7.2003 "On protection of crossborder lakes"	Actually the law is being implemented for three crossborder lakes: a) the Albanian part of Shkodra Lake at the north, Ohri and Prespa lake in the south-east. They are actually approved as protected areas, but somehow the authorities are leaking	<a href="http://www.moe.gov.al/index.php?option=com_content&amp;view=article&amp;id=51&amp;Itemid=57">http://www.moe.gov.al/index.php?option=com_content&amp;view=article&amp;id=51&amp;Itemid=57</a>
	To be checked against relevant EU Regulations/Directives	Law no. 8906, date 06.06.2002 "On protected areas"	From the time the law was approved several DCM have been approved for protected areas status	<a href="http://www.moe.gov.al/index.php?option=com_content&amp;view=article&amp;id=51&amp;Itemid=57">http://www.moe.gov.al/index.php?option=com_content&amp;view=article&amp;id=51&amp;Itemid=57</a>
6	<b>Industrial pollution control</b>			
7	<b>Chemicals and GMOs</b>			
8	<b>Climate Change</b>			
	Energy efficiency sector			
	EU Directives 2009/28/EC of European Parliament and the Council "On promoting energy usage from renewable sources, and changes and repealing of directives 2001/77/EC and 2003/30/EC"	Law no.138, date 02.05.2013 "On Renewable Energy Sources"	Requires builders to adhere to a minimum share of solar thermal heat for certain building types. Exempts solarthermal systems and components from custom tariffs and Value Added Tax (VAT) altogether. Starting 20 May 2013, the government has 6 to 12 months to create the bylaws which should state precisely how the new law will be implemented. Compliance to be checked.	<a href="http://www.moe.gov.al/index.php?option=com_content&amp;view=article&amp;id=51&amp;Itemid=57">http://www.moe.gov.al/index.php?option=com_content&amp;view=article&amp;id=51&amp;Itemid=57</a>
	EU Directive 2012/27/EC on energy efficiency, amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC	New draft law on Energy Efficiency - adoption pending. Secondary legislation not available yet, no draft in circulation	The draft law transposes the EU energy efficiency legislation set by EC directives 2006/32; 2009/125; 2010/30 and 2010/31. It sets the objectives and principles of the national energy efficiency policy and introduces requirements with regard to min energy performance and certificates for buildings, energy efficiency audits of buildings and industry; and standards and labels for energy using household appliances. The draft law contains provisions for the establishment of a government agency to develop, implement and monitor the energy efficiency policies and programmes, including the NEEAP. A national Energy Efficiency Fund should be established according to the draft law to provide drafts, loans or financial guarantees for the implementation of energy efficiency projects.	
	To be checked against relevant EU Regulations/Directives	DCM no.619, date 7.9.2011 "On approval of national action plan for energy efficiency 2011-2018"		<a href="http://www.qbz.gov.al/botime/fletore_zyrtare/2011/PDF-2011/137-2011.pdf">http://www.qbz.gov.al/botime/fletore_zyrtare/2011/PDF-2011/137-2011.pdf</a>



To be checked against relevant EU Regulations/Directives	Law no.10196, date 10.12.2009 "On some additions and amendments to the Power Sector Law" regarding RE and incentives for the construction of power plants using RE. Came into force in January 2010.	It introduced the definitions of 'green certificate'- an official document, valid for a limited period, separately transferable from the electricity to which it attests, providing that certain electricity is generated using RES or from a combined method of production, indicating the date and place of production, the power plant and the owner, and 'origin certificate'- an official document transferable and attests to: the producer; the quantity of electricity produced from RS; and the power plant and its capacity.	
To be checked against relevant EU Regulations/Directives	Decision no.27, dated 10 01.2007 "On the adoption of the rules for the evaluation and granting of concessions"	Compliance with relevant EU Directive to be checked	
To be checked against relevant EU Regulations/Directives	Law no 9663 / 2006 on concessions	The purpose of this law is to create a favorable framework for promoting and facilitating the implementation of privately financed Concession Projects enhancing transparency, fairness, efficiency and long-term sustainability, in development of infrastructure and public service projects. Compliance with relevant EU Directive to be checked	
To be checked against relevant EU Regulations/Directives	Law no.9379, date 28.04.2005 "On Energy efficiency"	The purpose of this law was to create the legal framework required for the elaboration and enforcement of a national policy for the efficient use of energy and reduction of energy losses in whole energy cycle. A new draft is in-progress.	<a href="http://www.moe.gov.al/index.php?option=com_content&amp;view=article&amp;id=51&amp;Itemid=57">http://www.moe.gov.al/index.php?option=com_content&amp;view=article&amp;id=51&amp;Itemid=57</a>
To be checked against relevant EU Regulations/Directives	Law no. 9072, date 22.05.2003 "On the Power Sector Law"	The purpose of the law is to ensure conditions for an electricity supply to the customers according to the standard parameters. Albania's legal framework still substantially fails to comply with the Energy Community obligations. - No progress was made on aligning the Power Sector Law with the acquis. Albania's legal framework still substantially fails to comply with the Energy Community obligations. Albania has not yet started aligning its legislation with the EU's third internal energy market package.	<a href="http://www.moe.gov.al/index.php?option=com_content&amp;view=article&amp;id=51&amp;Itemid=57">http://www.moe.gov.al/index.php?option=com_content&amp;view=article&amp;id=51&amp;Itemid=57</a>
To be checked against relevant EU Regulations/Directives	Law no 9972 / 2003 on Natural Gas Sector		<a href="http://www.moe.gov.al/index.php?option=com_content&amp;view=article&amp;id=51&amp;Itemid=57">http://www.moe.gov.al/index.php?option=com_content&amp;view=article&amp;id=51&amp;Itemid=57</a>



	A full revision of the existing Energy Efficiency Law and its integration with the existing Heat Conservation Law is necessary	Law No.8937, dated 12.09.2002 "On Heat Conservation in Buildings".	The aim of this law is to establish the necessary legal basis for setting up the rules and making mandatory actions for conservation of heat in all buildings, including public and private ones. Based on this law, in January 2003, the Council of Ministers approved the Energy Building Code establishing the minimum technical norms of heat conservation in buildings mandatory for all new constructions of whatever functions.	<a href="http://www.moe.gov.al/index.php?option=com_content&amp;view=article&amp;id=51&amp;Itemid=57">http://www.moe.gov.al/index.php?option=com_content&amp;view=article&amp;id=51&amp;Itemid=57</a>
	Directive 2000/55/EC of the European Parliament and of the Council of 18 September 2000 on energy efficiency requirements for ballasts for fluorescent lighting	CMD no. 152, date 11.02.2009 "On the approval of Technical Regulation On requirements of energy efficiency for ballasts for fluorescent lighting" published on the Official Journal	Compliance with relevant EU Directive to be checked if necessary	
	Directive 96/57/EC of the European Parliament and of the Council of 3 September 1996 on energy efficiency requirements for household electric refrigerators, freezers and combinations thereof	CMD no. 141, date 11.02.2009 "On essential requirements and conformity assessment of refrigerating household equipments, freezers and their combinations, for energy efficiency requirements"	Directive Repealed by Commission Regulation (EC) No 643/2009 of 22 July 2009 implementing Directive 2005/32/EC of the European Parliament and of the Council with regard to ecodesign requirements for household refrigerating appliances	
	Directive 92/75/EC - "Energy Labeling Directive"	Law No.10113, dated 09.04.2009 "On the indication by labeling and standard product information of the consumption of energy and other resources by household appliances"	In accordance with the provisions of this law, the details regarding the labelling of the household electric appliances shall be stipulated by a regulation approved by the Minister responsible for energy, but no secondary legislation has been developed."	<a href="http://www.moe.gov.al/index.php?option=com_content&amp;view=article&amp;id=51&amp;Itemid=57">http://www.moe.gov.al/index.php?option=com_content&amp;view=article&amp;id=51&amp;Itemid=57</a>
	Council Directive 92/42/EEC of 21 May 1992 on efficiency requirements for new hot-water boilers fired with liquid or gaseous fuels	CMD "For the approval of technical regulation "On essential Requirements and conformity assessment on Hot-water boilers fired with liquid or gaseous fluids"	Directive Amended by Directive 2008/28/EC of the European Parliament and of the Council of 11 March 2008 amending Directive 2005/32/EC establishing a framework for the setting of ecodesign requirements for energyusing products, as well as Council Directive 92/42/EEC and Directives 96/57/EC and 2000/55/EC, as regards the implementing powers conferred on the Commission	<a href="http://www.moe.gov.al/index.php?option=com_content&amp;view=article&amp;id=51&amp;Itemid=57">http://www.moe.gov.al/index.php?option=com_content&amp;view=article&amp;id=51&amp;Itemid=57</a>
9	<b>Noise</b>			
	To be checked against relevant EU Regulations/Directives	Law no. 9774, date 12.7.2007 "On Assessment and administration of noise in the environment"	The law is in force since 2007, but there has not been made any improvement on protecting the environment from excessive noise. These last years especially in 2012, the ministry of environment	<a href="http://www.moe.gov.al/index.php?option=com_content&amp;view=article&amp;id=51&amp;Itemid=57">http://www.moe.gov.al/index.php?option=com_content&amp;view=article&amp;id=51&amp;Itemid=57</a>
10	<b>Civil Protection</b>			

