

KOSOVO National Environmental Legislation compare to EU Environmental Legislation_status_gaps_future to come

Environment in general, is known as one of the major problems in Kosovo and at the same time one of the biggest challenges that Kosovar society will face in Kosovo towards overall development, integration and implementation of the European standards that must be met in this area.

Reports, analyzes and assessments of international and local organizations, Institutions of the Republic of Kosovo, etc., report the numerous and diverse institutional and non-institutional challenges which primarily relate to: the implementation of environmental legislation; construction practice without criterion, the absence of Spatial Planning and a local urban plans, lack of drinking water, lack of treatment for waste water, poor management of municipal and industrial wastes, wild use of natural resources etc.

Kosovo has harmonized and created environmental legislation in compliance with the Constitution of the Republic of Kosovo and environmental standards of the EU. This legislation generally reflects all the requirements of directives, regulations, conventions, as well as various environmental international treaties.

Despite the adoption and harmonization of legislation, the financial support received from donations and budget of Kosovo are not sufficient compared with existing environmental situation in Kosovo. The public

- Complete the legal and institutional framework and to harmonize the environmental acquits with EU directives.
- Develop public education and joint awareness campaigns; provide public participation in decision-making on environmental issues.
- Develop of sector strategies and supporting documents.
- To establish/create Eco Fond

10 chapters of EU acquis	EU legislation Heading	National Legislation corresponding to EU legislation	Compliance and remarks	Sources of legislation
number 1	Horizontal legislation			
	In support of the Article 65 (1) of the Constitution of the Republic of Kosovo; In order to create standards in harmony with those of the European Union	Law no. 03/L-025, date 30.09.2010 "On Environmental Protection"	As is mentioned in the beginning of the Law, it is in compliance with EU Directives and in harmony with those of the EU. The implementation of the Law still challenge, due the lack of political will for the implementation of the environmen Laws and for considering environment as a priority.	http://mmph-rks.org/sq/Ligjet-e-Mjedisit1
	In support of the Article 65 (1) of the Constitution of the Republic of Kosovo	Law no. 03/L-214, date 23.09.2010 "On Strategic Environmental Assessment"	The law is in accordance with the Article 65 of the Constituion of Kosovo which is in the harmony with the EU Acquis. The purpose of this Law is to ensure through strategic environmental assessment of the plans and programs, high level for protection of the environment and human health and the Law determines the conditions, form and procedures for assessment of impacts on environment, of the certain plans and programs (hereinafter: SEA) through integration of the environmental protection principals in the procedure of preparation, approval and realization of plans and programs. the Law enter in force in 2009. The Reports show the fact that the Law is partialy implemented from the public insitutions.	http://mmph-rks.org/sq/Ligjet-e-Mjedisit1
2	Air quality			
	In support of the Article 65 (1) of the Constitution of the Republic of Kosovo	Law no. 03/L-160, date 25.02 2010 "On air protection from pollution"	The Law is in line with the EU directives and in harmony with Kosovo Constitutions. Administrative instructions determining (inter alia) norms of air quality, monitoring points and number and frequency of measurements were adopted in 2010, another administrative instruction on norms of air quality was adopted in July. Three first stations of the air quality monitoring network came online, others are expected during 2011. The agglomerations and zones have not yet been identified and the air polluters' inventory also remains to be compiled. Inter-institutional cooperation between the Ministry of Environment and the Ministry of Energy has improved. ☺	http://mmph-rks.org/sq/Ligjet-e-Mjedisit1
3	Waste management			
	According to the Article 65 (1) of the Constitution of the Republic of Kosovo	Law 04/L-060, date 19.03.2013 "On Waste"	Kosovo Parliament approved the Law for waste which is in harmony with the Environment EU directives and in the same time in harmony with Kosovo lagislation. The Law regulates waste management, plans for environmental management, rights and obligations of licensed persons who deal with waste management, manner and conditions of waste collection, transport, treatment, processing, storage and final disposal, import, export and waste transit, monitoring, information system and financing. The Law still in the beginning of the implementation process abd faced with diferent challneges, due tha fact that Kosovo deal only with waste collection and not with waste management.	http://mmph-rks.org/sq/Ligjet-e-Mjedisit1
4	Water quality			



	In support of the Article 65 (1) of the Constitution of the Republic of Kosovo	Law 02/L-79, date 19.03.2013 "Kosova Waters"	The Law is approved from Kosovo Assembly in 2003 which is created based on article 65 (1) of the Constitution of the Republic of Kosovo and in harmony with the environment EU Acquis. The Law regulate all issues related to: surface waters, lakes, storage, reservoirs, natural resources, underground waters, wet lands, lands near the shores of the rivers, issues related to their management, use and water distribution, protection and preservation of water, protection from harmful actions of water, including submergence, floods, droughts, erosion; water facilities and infrastructure, water financing and also conditions, methods and activities by which there can be used or released the waters. The law is partially implemented and additional the drinking water supply system remains poorly developed and a significant part of the population is still not connected.	http://mmph-rks.org/sq/Ligji-i-Ujerave
5	Nature protection			
	In support of the Article 65 (1) of the Constitution of the Republic of Kosovo	Law no. 03/L-233, date 30.09.2010 "On Nature Protection"	The Law is approved in 2010 and it is in hamrony with the Kosovo Constituions and EU environment directives. The implementation of the Law still be challenge, due the very weak Institutional and administrative capacity in this field.	http://mmph-rks.org/sq/Ligjet-e-Miedisit1
6	Industrial pollution control			
7	Chemicals and GMOs			
	According to Chapter 5.1 (f) and 9.1.26 (a) the constitutional framework of self-government in Kosovo (UNMIK's Reg. 2001/9 of 15 May 2001), In order to create the legal framework, mechanisms and conditions according to European Union standards for the management of chemicals in Kosovo	Law no. 02/L-116, date 27.04.2007 "On Chemicals"	The Law is approved in Kosovo Assembly in 2007 and it is created based on Chapter 5.1 (i) and 9.1. 26 (a), of the Constitutional Framework of Provisional Self-Government in Kosovo (UNMIK Regulation No. 2001/9 of 15 May 2001), Aiming to create Legislative Framework, mechanisms and conditions in compliance with European Union standards for Chemical Administration in Kosovo. The EU Progress repor shows that In the area of chemicals, there has been little progress, with the adoption of an administrative instruction on risk assessment	http://mmph-rks.org/sq/Ligjet-e-Miedisit1
	In support of the Article 65 (1) of the Constitution of the Republic of Kosovo	Law no. 02/L-116, "On Biocid Products"	The Law is approved from the Kosovo Assembly in 2008, which is prepared based on Article 65 point (1) of the Constitution of the Republic of Kosovo and based on EU directives. The Law regulate conditions for placing in the market and utilization of active substance(s) used for production of biocide products in the territory of Republic of Kosovo and with this to protect human animal health and environment.	http://mmph-rks.org/sq/Ligjet-e-Miedisit1
8	Climate Change			
	Energy efficiency sector	Kosovo is not a Party to the UN Framework Convention on Climate Change and has no climate change strategy adapted, but is beginning to compile its inventory of greenhouse gases. Kosovo participated actively in the climate work under the Regional Environmental Network for Accession (RENA). Kosovo needs to take concrete steps towards transposing and implementing the EU climate acquis, particularly the Monitoring Mechanism Decision.		
9	Noise			
	According to Chapter 5.1 (f) and 9.1.26 (a) of the constitutional framework of self-government in Kosovo (UNMIK's Reg. 2001/9 of 15 May 2001) as well as the need to harmonize the Kosovos environment standards with those of the European Union	Law no. 02/L-102, date 30.03.2007 "On Noise Protection"	The law is in force since 2007, but there has not been made any improvement on protecting the environment from excessive noise. The purpose of this law is to avoid, prevent or reduce on prioritized bases, the harmful effects, including annoyance, due to exposure on noise, in environmental. Transposition part of the Law is underway, but the implementation is at an early stage of the process.	http://mmph-rks.org/sq/Ligjet-e-Miedisit1
10	Civil Protection			

