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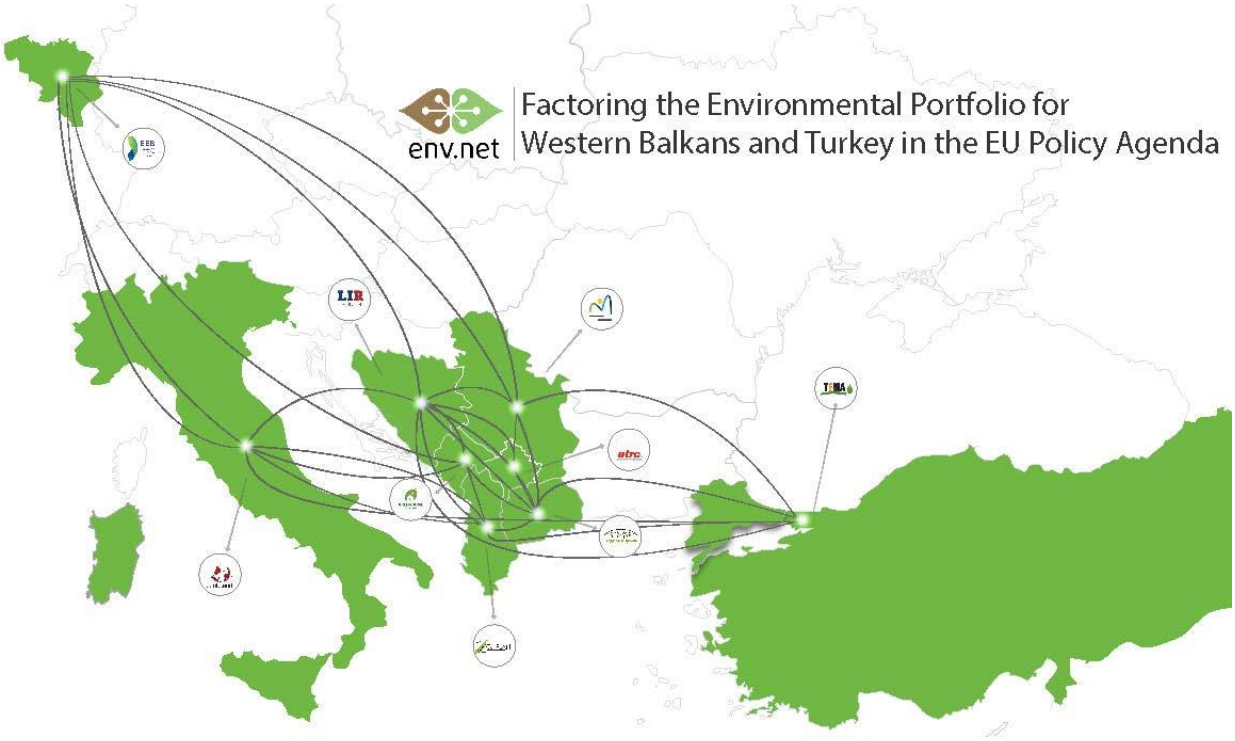


Regional Report
Written Contribution for the ENV.net partners, 2020
Chapter 15 & 27

Under the Env.Net Project:
"Environmental Network factoring the environmental portfolio for Western Balkans and Turkey in the EU Policy Agenda"

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## 1. Executive Summary

The "ENV.net factoring the environmental portfolio for WB and Turkey in the EU Policy Agenda" is a regional project which brings together seven partner organisations from the Western Balkans and Turkey and two EU member-state based partners. The network aims to generate region-representative evidence-supported input to contribute to EU discussions on matters of climate change and environment, and to explore and introduce to the region new inter-related aspects such as circular economy. In the process, the network foresees to also technically and financially support civil society organisations and media in each of the network partner countries to better understand and work on these issues.

This regional report briefly describes the main progress and challenges in Western Balkans (Albania, Bosnia and Herzegovina, Kosovo, Republic of North Macedonia, Montenegro, and Serbia) and Turkey regarding environment in general and harmonization of national environment legislation with environment acquis.

This report is a summary of the efforts made by the respective governments of the Western Balkans and Turkey to transpose, draft and approve EU Directives. This report evaluates the implementation and monitoring of agreed policies and strategies in order to achieve a good environmental status.

In Albania there is a lack of harmonization on climate change in national and sectoral policies when it comes to defining measures by the responsible institutions in the sectors that affect the reduction of greenhouse gases. We also see that setting restrictions and obligations in the private sector (businesses) and regulating market control over the production, marketing of products and raw materials that may lead to the discharge of GHG is still weak in implementation. It is predicted that, in the next decade, Albania will experience a decrease in annual rainfall by at least 7% by 2030.

Bosnia and Herzegovina is a potential candidate for EU membership; application for EU membership was submitted in February 2016. In May 2019, the European Commission submitted and adopted Opinion on Bosnia and Herzegovina's application for EU membership. The Opinion identifies 14 key priorities for Bosnia and Herzegovina to fulfil in order to be recommended for the opening of accession negotiations, in the areas of democracy / functionality, environment, the rule of law, fundamental rights, and public administration reform.

This report provides an overview of the legislation progress and challenges in Kosovo regarding environment in general and harmonization of national environment legislation with environment acquis. Dates for preparing this overview are taken from a variety of sources, including government institutions, official state websites, national and international reports.

The Government of Montenegro should accelerate the implementation of the National strategy for the transposition, implementation and enforcement of the EU Acquis on environment and climate change, especially in the horizontal legislation, waste, water, nature protection and civil protection sectors. With regard to the EU accession process it is important to highlight that NEAS is limited until 2020 and there is no publicly available information on preparing the new Strategy or innovation of the existing one.

In North Macedonia, enforcement and implementation are areas that need significant efforts. Furthermore, there is a lack of capacity to effectively initiate and prosecute environmental crime. Human, technical and financial reinforcement is paramount result delivery.

Serbia is progressing towards EU accession; however, environment sector (and climate action), is not among priorities on the decision makers' agenda. Consequently, the sector is under the pressure of non-effective financing, low institutional, human and technical capacities, and within the inter-sectoral cooperation the diagnosis of what needs to be transformed is very slow.

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Turkey continues to adopt the EU Directives on environmental protection and climate change as well as energy. However, Turkey remains one of the G20 countries that has not ratified the Paris Agreement. Full alignment regarding water, climate change, emission reduction, EIA, and nature protection is limited.

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## 2. ALBANIA, Co-PLAN, INSTITUTE FOR HABITAT DEVELOPMENT

### 2.1 Chapter 15: Energy

#### 2.1.1 National Electricity Sector

With the ratification of the COP 21 Paris Climate Agreement, the EU climate change policy entered a new phase with more ambitious climate and energy goals for 2030.

On April 2020, the Albanian Ministry of Infrastructure and Energy drafted the National Broadband Plan for Albania 2020-2025. This strategic document will replace the National Broadband Plan, approved by the Decision of the Council of Ministers no. 468 dated 30.05.2013, amended in 2015. The document reviews the vision, strategic objectives and goals for the development of broadband infrastructure in line with the latest developments in the telecommunications market, technological developments in this field, with the ever-increasing needs for digital high speed connectivity and communication as well, as a response to the demands and aspirations of digital transformation in support of all investments made by the Albanian government in the framework of digitalization of public infrastructure and electronic services. [1]

On February, May and June of 2020, the Albanian Parliament adopted amendments to the Power Sector Law of 2015, which improved its compliance with the electricity acquis. EIB provided 12 mln euro to back Slovenia's "Resalta" growth in SEE and "Statkraft" Electricity Generation began the construction of a floating solar plant in Albania.

In May 2020, Albania adopted Law no. 61/2020 on some changes and additions to law no. 43/2015, "On the Electricity Sector".

The 2018-2030 energy strategy comes after a period of dynamic changes for the economy as a whole and in particular for the energy sector. The new ongoing strategic framework is based on two main pillars: the development of reforms to foster market liberalisation and regional integration, and huge investment on sustainable development driven by participation in the Energy Community and in particular, at an international level, by the Paris Agreement on climate change.

According to the World Energy Trilemma Index, during 2020, Albania made progress in the global ranking for energy sustainability. In the index published in 2020 by the World Energy Council, Albania is ranked 43rd out of 108 countries, gaining 30 positions compared to last year. Regarding the capacity to cope with competitive pressure and market forces within the Union, Albania still has a lot to improve in terms of infrastructure on energy, transport and digital communication, as well as educational outcomes, while significant gaps remain compared to regional and European levels.

The main aspects that need to be considered in the National Energy sector in Albania for the following year according to the EU Criteria for enlargement are:

- The stability of the sale price of electricity from small HPPs to KESH should be guaranteed by the Albanian government.
- Completion of the legal framework for solar, wind and nuclear energy as a real possibility of their construction in the future.
- Following the European model of market liberalization due to the market structure and due to the geographical position of Albania.
  The difference between the purchase price of energy from small HPPs by KESH sh.a and the price that KESH sh.a sells in the country or abroad to be subsidized directly by the state, which would also lead to the avoidance of delays in the payment of electricity bills, delays which have jeopardized the operation of a significant number of private producers of electricity generation.

[1] National plan for sustainable development of digital broadband infrastructure 2020-2025

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- Orientation of government support policies towards the construction of clean energy, mainly hydropower plants but also natural gas power plants.
- Liberalization to the optimal extent of the national market and efforts for a common regional market starting first with the creation of the common market Albania - Kosovo.

The reform of the electricity market is on track but progress this year has been slow with limited achievements in terms of implementation of acquis.

The transmission system operator (OST) was certified and finally fulfils the independence conditions requested in the Secretariat's Opinion, following the adoption of amendments to the Power Sector Law in May 2020. The distribution utility OSHEE was transformed into a holding company with three subsidiaries, respectively licensed as the distribution system operator OSSH, the universal service supplier FSHU and the electricity market supplier FTL. Functional unbundling is currently being implemented and will be verified by the Secretariat.

The most notable progress was made in the process of establishment of the organized electricity market. Following the 2019 government's decision on the establishment of a power exchange, to be established by the transmission system operator OST, an open tender for the selection of other shareholders was completed in 2020. It resulted in the selection of the transmission system operator of Kosovo, KOSTT. The establishment and registration of the power exchange company ALPEX was completed in October 2020. According to the plan, the operation of ALPEX and market coupling of Kosovo and Albania should be launched simultaneously in the first half of 2021.

An early implementation of the Capacity Allocation and Congestion Management (CACM) Guideline started by the transposition of the procedure to designate the nominated electricity market operator, adopted by the regulatory authority ERE in line with the recommendation of the Energy Community Regulatory Board.

Until the establishment of the power exchange, excessive public service obligations remain in place on the wholesale market. The universal service supplier, "FSHU", and the distribution system operator "OSSH" are obliged to buy all the electricity required to supply customers under universal service and cover losses in the distribution system from the generation company, "KESH", under regulated conditions. If electricity is purchased at market conditions, KESH is obliged to compensate the costs incurred from the price difference. After an ongoing dry run, the balancing market is expected to start operating in 2021 according to the balancing rules approved by the regulatory authority in 2020, which allow for cross-border trading of balancing services. All three Network Codes on network connections were transposed by ERE in 2018. The transmission system operator, "OST", started publishing data on the ENTSO-E Transparency Platform. The REMIT Regulation is yet to be transposed and implemented. According to the amendments to the Power Sector Law of February 2018, all customers, except those connected to high voltage and 35 kV, continue to be supplied by the universal service supplier, FSHU, at regulated prices, until the distribution system operator OSSH informs the customer that technical preconditions related to the installation of interval meters are in place. For a period of two years after OSSH's decision the customers can be supplied by FSHU under the supply of last resort. This undermines the eligibility right of customers and the interest of new suppliers to enter the retail market. Cross-border capacities are allocated through SEE CAO, except split auctions applied with EMS of Serbia. Allocation of capacities on the 400 kV interconnection line with Kosovo is pending implementation of the recently signed connection agreement between the transmission system operator of Kosovo, KOSTT and the ENTSO-E.

In 2019, OST and KOSTT signed an agreement on establishing a new load frequency control (LFC) block Albania – Kosovo (AK). The implementation will commence upon the establishment of the KOSTT system as a separate control area. It is expected that this is the first step of a future broader integration of Albania with organized regional electricity markets.

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### 2.1.2 Renewable Energy and Energy Efficiency

At European level, Directive 2009/28 / EC requires each Member State by the end of 2020 to ensure that a certain share of total gross energy comes from renewable energy. This target is set to reach 20% and is expected to be achieved through various targets set at the level of Member States. So, it is mandatory that by 2020, 20% of energy consumption in the EU should come from renewable energy. In this context, during 2019, Albania adopted Decision no. 580, dated 28.8.2019 on the approval of the consolidated national action plan for renewable energy sources, 2019–2020. In 2018, renewable energy represented 18% of the energy consumed in the EU, on a path towards the 2020 target of 20%. This objective has been announced among the EU Member States with national action plans designed to pave the way for the development of renewable energy in each of the Member States.[2]

According to INSTAT (Institute of Statistics of Albania), during the first quarter of 2020,[3] available electricity increased by 0.9%. Net domestic electricity production in this period reached the value of 1,546 GWh from 1,281 GWh of energy produced in the first quarter of 2019, marking an increase in production by 20.7%. This production was realized by public hydropower plants in the amount of 48.0%, by private and concession hydropower plants in the amount of 51.6% and by other producers (renewable energy) in the amount of 0.4% of the net domestic electricity production. The increase in electricity production has increased the gross imports of electricity (energy in receipt) by about 1.0 times and the increase in gross exports of electricity (energy in supply) by about 4.1 times, compared to the same period a year ago.

In July 2020, an agreement was signed between the Albanian government and the French company VOLTALIA, paving the way for the start of works for the construction of the Karavasta Photovoltaic Park, which estimates that over 100 million euros will be injected into the Albanian economy.[4]

In August 2020, the law on the new Air Code was adopted, updated with the latest changes in the European regulatory framework and enriched with the missing provisions so far. Some of the innovations of this law are the clarification of the relations between the entities that provide services in the field of Civil Aviation and that will implement this. Also, the Civil Aviation Authority will have to enable the exemption to be allowed. Another innovation is the creation of the State Operational Security Program. In January 2020, the Energy Regulatory Authority issued decision no. 20, dated 31.01.2020 on determining the purchase price of electricity produced from small renewable sources from the sun with installed power up to 2mw for 2019.

In the framework of the Memorandum of Economic Cooperation for Projects and Purchases, between the Albanian Government and the US Government, on October 3, 2020, a Memorandum of Understanding was signed regarding the HPP Skavica Project[5] as a project of national interest, which will enable Albania to establish full independence from energy imports and will position our country as an energy centre for the region. According to law no. 7/2017 on promoting the use of energy from renewable sources, the overall target of Albania for energy from renewable energy sources in the final gross energy consumption will be 38 % at the end of 2020. The share for the Contracting Parties is calculated based on the EU methodology and reflects an equal level of ambition as the objectives set for the EU member states. The targets for the share of renewable energy for the Contracting Parties by 2020 are the following: Albania 38%, Bosnia and

[2] Eurostat News release- Renewable energy in the EU in 2018 Share of renewable energy in the EU up to 18.0% Twelve Member States have reached a share equal to or above their 2020 target

[3] http://www.instat.gov.al/al/temat/mjedisi-dhe-energjia/energjia/publikimet/2020/bilanci-i-energjis%C3%AB-elektrike-tremujori-i-2020/

[4] https://ata.gov.al/2020/07/31/nenshkruhet-marreveshja-mes-qeverise-dhe-kompanise-prestigjioze-voltalia-per-parkun-fotovoltaik-ne-karavasta-balluku-projekti-karte-e-biznesit-shqiptar-ne-france/

[5] http://financa.gov.al/shqiperi-shba-nenshkruhet-memorandumi-i-bashkepunimit-ekonomik/

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Herzegovina 40%, Kosovo* 25%, Macedonia 28%, Moldova 17%, Montenegro 33%, Serbia 27% and Ukraine 11%.

The GEF (Global Environment Facility) has provided a grant to develop the country program of Albania, as part of the (UNDP) / United Nations Environment Program UNEP/Global Environment Facility GEF/ICA Global Solar Water Heating Market Transformation and Strengthening Initiative. The objectives of the Project are to facilitate the installation of 75,000 $m^2$ of new installed collector area over the duration of the project, reach an annual sale of 20,000 $m^2$ by the end of the project and with expected continuing growth to reach the set target of 520,000 $m^2$ of the total installed SWH capacity by the end of 2020. More efforts need to be made in energy production from other renewable energy sources in addition to hydropower. In electricity generation, Albania almost exclusively depends on hydropower at 98% of its electricity capacity, making it extremely vulnerable to adverse hydrological conditions during the summer period. Albania, with a total surface area of 28,748 $km^2$, has a hydrographical distribution of 44,000 $km^2$, or 57% more than state territory. The country has the potential to produce 16 to 18 TWh of hydro-energy. So far, one third of this potential has been exploited.[6] The main ongoing issues regarding Renewable Energy and Energy Efficiency in Albania are as follows:

1. Non-use of wind energy
2. Non- use of geothermal energy
3. Failure to produce RE from the agriculture sector
4. Non- use of PV energy

## 2.2 Chapter 27: Environment

2.2.1 Water quality and management

- Surface water quality

The area surrounding Albania has relatively abundant fresh water resources. Seven main rivers run from east to west in Albania. The contribution of rivers discharge into the Adriatic Sea is very large (95%), compared to the discharge into the Ionian Sea (5%). The total volume of water flow is 39,220 x 106 $m^3$/year. Two are the main periods of the year, in terms of the water flow: the wet period, (October - May) and the dry one (June - September). 86% of the annual water flow is discharged during the wet period and 8% during the dry one. June is the transition period, accounting for 6% of the annual water flow, according to the Ministry of Environment and Tourism of Albania.[7]

According to EUROSTAT,[8] for the year 2020 Albania is ranked among the 10 countries (seventh from the bottom) for the poorest coastal water quality, where 65.7% of water is of exceptional quality. Although in relation to other European countries we lag far behind, compared to ourselves, significant improvements have been made. In 2015, only 32% of the coastal water was of excellent quality. Three years later, that weight has doubled.

[6] https://www.solarthermalworld.org/search?search_api_views_fulltext=&field_six_pillars=All&field_market_sectors=All&field_country=44271&created%5Bdate%5D=&created_1%5Bdate%5D=

[7] https://www.climatechangepost.com/albania/fresh-water-resources/

[8] https://ec.europa.eu/eurostat/search?p_auth=TnYJWKo6&p_p_id=estatsearchportlet_WAR_estatsearchportlet&p_p_lifecycle=1&p_p_state=maximized&p_p_mode=view&_estatsearchportlet_WAR_estatsearchportlet_theme=empty&_estatsearchportlet_WAR_estatsearchportlet_action=search&_estatsearchportlet_WAR_estatsearchportlet_collection=empty&text=Albania

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In October 2020, the 2020-30 Strategy of the Water Supply and Sewerage Services Sector was presented. The Strategy was a joint initiative of the Ministry of Infrastructure and Energy (MEI) and the German Government (implemented through GIZ Albania), established from the Ministry of Infrastructure and Energy with Decision no. 775 dated 06.11.2018. The purpose of the Water Supply and Sewerage Sector Strategy is to improve the provision of quality water supply and sewerage services to the citizens of Albania and to support the economic development of the country, based on the performance of a key infrastructure service. To achieve this goal, it is essential that the Strategy defines some basic data and information related to the population, its patterns of change and the economic situation of the population.[9]

In April 2020, law no. 52/2020 on some changes in law no. 10 448, dated 14.7.2011, "On Environmental Permits", was adopted, providing for some new aspects related to the treatment of bridges and wastewater, in compliance with EU criteria for enlargement.

In May 2020, the National Environment Agency signed a Memorandum of Understanding and Cooperation with the Hydrometeorological Institute of Montenegro and the Ohrid Hydrobiological Institute with the technical support of the German Cooperation through the GIZ CSBL Project "Preservation and Use of Biod and Ohrid " in accordance with the Water Framework Directive, in joint monitoring expeditions, harmonization of methods and exchange of experience in the field of water quality monitoring according to the requirements of the Directive, as well as the establishment of a joint monitoring database in estimating the degree of water eutrophic for the three lakes.

Despite the work done so far to improve the service for the provision of the highest quality drinking water and disposal of used water and to minimize the shortcomings, this service continues to face problems related to:

- Legislation and how it is used, definition of its scope and responsibility;
- Competencies, decision-making and cooperation between institutions, lack of transparency and expertise in drafting strategies;
- Lack of drinking water supply;
- Reduced hourly supply of drinking water or not 24 per day;
- Lack of sewerage for the disposal of used water;
- Lack of water quality monitoring;
- Illegal interventions in the network of drinking water supply pipelines;
- Illegal interference in drinking water sources;
- Shortcomings in the quality of drinking water analysis;
- Deficiencies in the chlorination of drinking water;[10]

- River basin management

On April 24, 2020 ministers and representatives from Albania, Kosovo, Montenegro, Greece and Northern Macedonia approved the Strategic Action Plan (SAP) for the sustainable management of the Drin River Basin. The program consists of more than 100 actions aimed at managing water in the Drini basin, where 1.6 million people live. The Drin River Basin is an important source for fishing, electricity, agriculture, tourism and is used for drinking water. The SPA aims to address a number of cross-border issues, such as water pollution, biodiversity degradation and ecosystems, and water flow and sediment disturbances and will serve as a reference point for future cross-border environmental cooperation in the Drin basin.[11]

[9] https://www.infrastruktura.gov.al/wp-content/uploads/2020/01/Strategjia-UK-2020-2030.pdf

[10] http://www.klsh.org.al/web/08_cilesia_e_ujit_4701.pdf

[11] https://www.gwp.org/en/GWP-Mediterranean/WE-ACT/News-List-Page/drin-sap-endorsement/

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In April 2020, Albania adopted law no. 41/2020 on some changes and additions to the law no. 9587, dated 20.7.2006, "On the Protection of Biodiversity", among which was specified that the importation and/ or intentional introduction of foreign species or foreign invasive species in the environment, land, water or sea of the Republic of Albania is only done after the environmental impact assessment, referring to the legislation in force, proving that a foreign or invasive type will not negatively affect the environment, human health and sustainable development.

The process for the preparation of the Integrated River Basin Management Plans in Albania started last year and the leader of the process is the respective National Agency for Water Sources Management. The Agency is being assisted by EU-funded EUSIWM Project in this process.

In the framework of the National Sectoral Plan for Solid Waste Management approved by a decision of the National Territory Council no. 1, dated 13.01.2020, the urgency of the need for careful attention focused on avoiding the dumping of waste along rivers is reflected, as it is classified as the main cause of their pollution within the Republic of Albania.

According to ESIA SEE (Environment Social Impact Assessment South East Europe), the European Union monitoring reports in 2019 found high levels of pollution in Albanian rivers with phosphates and chemicals. The analyses released by Eurostat recently, in the framework of monitoring sustainable development objectives, found that Albanian rivers are the most polluted in Europe. Albanian rivers by measurement were found to have the highest level of biochemicals. One liter of water contained nearly 7 milligrams of biochemicals, the highest level in Europe. High biochemical parameters are usually signs of contamination that adversely affects water quality. The cleanest rivers have biochemical parameters of less than 1 milligram per liter. Moderately contaminated rivers show values ranging from 2 to 8 mg/L. The measurements showed that their level was 6.9 milligrams per liter in 2015 with a significant increase compared to 2013 when their level was 5.5 milligrams per liter.[12]

- Underground water quality

The monitoring network regarding groundwater is not representative due to the small number of monitoring stations in all the country, and is not aligned with the EU Directive 2006/118 / EC on the protection of groundwater against pollution and degradation, and the Water Framework Directive (Directive 2000/60/EC).

The Law no. 111/2012 on integrated water resources management was updated with Law No. 6/2018 "On some changes and additions to Law No. 111/2012" On Integrated Water Resources Management", which specified that “Natural and legal entities, which use groundwater without being provided with a permit or authorization, according to the provisions of law no. 111/2012 "On integrated management of water resources", are obliged to declare their activity at the offices of water basin administration, within 12 months from the date of entry into force of this law”.

The Albanian Geological Service (AGS) contracted by the National Environmental Agency (NEA) is responsible to conduct underground water analyses in 59 monitoring stations and 23 wellsprings in all territory. The physic-chemical conditions of underground water quality monitored routinely by AGS are measured in alkaline, conductivity, acidity, COD / BOD5, nutrients $PO_4$, $NO_3$ and $NH_4$, pH. Whereas the heavy metals are not monitored annually due to lack of funds. Underground water quality level is measured

[12] https://www.tap-ag.com/sustainability/esia-documents

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with a contact gauge (portable or fixed). The microbiological analysis of groundwater for 2019 cost a total of € 9, 360.

- Waste water and waste water treatment

Water resources are vital to the development of Albania's economy, especially in the fields of energy production, tourism and agriculture. The measure is mainly based on the new national strategy for the sector, which is being developed, is broadly defined and has a long-term perspective. However, the program focuses on three aspects in the short run: Reduction of non-revenue water by 20%, complementing actions to combat informal economy; 24/7 water supply in coastal areas; and improved water quality.

The indicators, which do not have target years, are not in line with the ERP timeframe (2022) and raise doubts about the implementation of the measure. It is necessary for the budget that the government and donors will invest in 2020-22 to achieve the targets to be indicated in public documents.[13]

Greater efforts are needed to enhance the capacity, efficiency and sustainability of services.
To consolidate progress, the draft law on the National Water Supply and Sewerage Sector Strategy 2020-2030 has to be adopted properly and detailed. The National Agency for Water Supply, Sewerage and Waste Infrastructure needs to increase its capacity, especially in the field of sewage and waste.
While wastewater treatment plants cover only about 15% of the population, they still face serious concerns, such as lack of permits and fees for wastewater treatment, inadequate operation and maintenance, and limited environmental impact due to networks and underdeveloped connections.

There is an urgent need to ensure full harmonization with the Urban Wastewater Treatment Directive, the expansion of sewerage networks, the licensing and implementation of tariffs for all wastewater treatment plants and the construction of new ones, especially in urban and coastal areas and those popular with tourists.[14]

### 2.2.2 Climate Change

Climate change became more pronounced during the second decade 2010 -2020, a decade which began with the floods of Northern Albania, where the inhabitants were isolated for almost 1 month from the waters that occupied the regions of Shkodra, Lezha, Kurbin and partly Kruja. Various urban areas faced isolated floods from year to year until February 2015 when another massive flood endangered the lives and property of residents from Fier to Gjirokastra. It is exactly this decade that contains the hottest 5-year period in the history of climate measurements; the years 2015 - 2019 are considered to be the hottest years in the history of measurements

In the National Plan for European Integration 2018-2020, the Ministry of Tourism and Environment has foreseen the obligation to approximate national legislation with the EU acquis in the field of climate change and, specifically, the draft decision on the regulation for monitoring and reporting of GHG emissions and other information related to climate change at the national level.

[13] Commission staff working document economic reform programme of Albania (2020-2022) commission assessment

[14] Albania 2020 Report Accompanying the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions 2020 Communication on EU Enlargement Policy

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In September 2020, Albania adopted the law no. 116/2020 on the accession of the Republic of Albania to the Doha Amendment of the Kyoto Protocol of the United Nations Framework Convention on Climate Change, acceded to by law no. 9334, dated 16.12.2004.

The main aspects of this law for Albania are:

a) fulfilment of the obligations of the Republic of Albania to the Convention to achieve its final objective, by promoting the reduction of GHG emissions and maintaining and increasing of site absorbers and reservoirs;

b) adaptation to climate change at national and / or local level; and

c) recording the country's achievements in these areas using methodologies according to the models of the Convention and the EU.[15]

Under the Paris Agreement, Albania committed to reduce its CO2 emissions by 11.5% compared to the baseline scenario for the period 2016 to 2030 in its first Nationally Determined Contribution (NDC). In 2019, the country joined the NDC Partnership - a global initiative to help countries achieve their national climate commitments and ensure financial and technical assistance is delivered as efficiently as possible. It plans to revise its NDC by the end of 2020. The Government prepares for the fourth National Communication due in 2020 and the first Biennial Update Report expected since 2014. In 2019, the Government endorsed the National Climate Change Strategy, representing the country's low carbon-development strategy towards the implementation of the Paris Agreement. However, the country is yet to adopt an overarching legal framework for climate. A draft Climate Change Law is in place. The adoption of the law and of a decision on a mechanism for monitoring and reporting of greenhouse gas emissions, transposing the Monitoring Mechanism Regulation (EU) 525/2013 are still pending. [16]

The law and the decision will establish the institutional framework and arrange the rules for monitoring, reporting and verification of GHG emissions at the level of sectors/resources in line with the Monitoring Mechanism Regulation. While the draft law includes provisions on establishing a national climate change policy, it lacks specific reference to setting up a system on projections which would be required to be fully compliant with the Monitoring Mechanism Regulation. The establishment of a national inventory system for greenhouse gas emissions monitoring and reporting in line with the Monitoring Mechanism Regulation (EU) 525/2013 is still missing. The Prime Minister's Order of 7 March 2019 indicates the governance structure and timeframe for elaboration of the National Energy and Climate Plan (NECP), including the setting up of a dedicated national working group supported by five technical working groups and the appointment of focal points in line ministries. For the preparation of the analytical basis of the Albanian NECP, the Government relies on external expertise supported by international donors and experts. At the time this report was published, data collection and modelling were ongoing.

The first two chapters of the NECP were drafted and submitted to the Secretariat for an informal review in June 2020. Affected by the Covid-19 outbreak, the process is aimed to be finalised only in Q1 2021. It is strongly recommended that the different policy planning processes under the NDC update and the NECP are harmonized and streamlined.

### 2.2.3 Noise

In June 2019, the Supreme State Audit completed the performance audit on "Acoustic pollution", conducted at the Ministry of Tourism and Environment, the Ministry of Health and Social Protection, and the

[15] http://www.parlament.al/Files/Lajme/Dokument/BuletiniInfoElektroniknr.1.pdf

[16] Energy Community Secretariat, Annual Implementation Report 2020

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Municipality of Tirana. The Ministry of Tourism and Environment, by not approving a series of instructions, has failed to complete the legal framework on environmental noise with bylaws, even though 12 years have passed since the creation of the main noise law. Non-accreditation of the noise monitoring process also affects the low reliability of the data. The lack of noise measuring devices in ISHMPUT, makes it difficult to inspect and take concrete measures against entities that emit noise above the allowed norms.[17]

The Ministry of Tourism and Environment, in cooperation with the Minister in charge of public works, has not approved the instruction on the requirements and rules for acoustic verification of buildings, before they are put into use. Designs for constructions, reconstructions of residential buildings or economic and social activities are delivered in such a way that the noises inside or in its vicinity are within the border level. Lack of Guidelines from MTM and the Ministry in charge of public works in determining technical criteria and noise protection measures that in the design, construction and pre-use phase of buildings lead to exposure of residents to noise by increasing the negative effects that they (noises) bring to health.[18]

The Institute of Public Health (IPH) has not been able to assess, through epidemiological studies, the negative health effects of environmental noise for certain diseases such as cardiovascular disease, hypertension, etc.

ISHMPUT does not have noise level measuring equipment and, during field inspections, they only check if environmental permits of noise-emitting entities are in place.

### 2.2.4 Waste Management

The National Strategy for Development and Integration 2015-2020[19] (NSDI), (GoA 2013), together with sector strategies, cross-sectoral strategies, master plans and action plans, all together form the framework of comprehensive strategic development. They set priorities, vision and at the same time (general and specific, medium and long term) objectives. Analysis of existing water policies show that the level of water services, despite substantial investments in all sectors over the last 25 years, is much lower than expected, partly as a result of the lack of clear policies (EC-IPA 2, 2014). Moreover, investment needs are still substantial and constraints on management capacity still exist.

In the framework of the National Sectoral Plan for Solid Waste Management 2020-2035 approved by a decision of the National Territory Council no. 1, dated 13.01.2020, the urgency of the need for careful attention focused on avoiding the dumping of waste along rivers is reflected, as it is classified as the main cause of their pollution within the Republic of Albania

The EU has made "better treatment of waste" a priority under IPA II (valid until 2020) to support Albania in complying with EU environment and public health standards. With Law No. 92/2016, however, there is evidence that the amount of waste increases along with an increase of illegal waste dumping, leading to breakdowns in the anyway fragile waste infrastructure and management in Albania.

Treasury data published by Open Data Albania[20] shows that:

[17] http://klsh.org.al/web/vendimi_ndotja_akustike_4942.pdf

[18] http://klsh.org.al/web/vendimi_ndotja_akustike_4942.pdf

[19] http://dap.gov.al/publikime/dokumenta-strategjik/278-strategjia-kombetare-per-zhvillim-dhe-integrim

[20] http://open.data.al/en

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- From 2015 to June 2020, the Elbasan incinerator has received about €25 million. The concession contract awarded for this incinerator was €22 million but the government has paid the company €3 million more so far. The total cost will increase by several more million in the next two years.
- From 2015 to June 2020, the Fier incinerator has received about €22 million. The total cost of the project is €27 million. This means that the company has received 82 percent of the contract cost before even building the incinerator. The government will certainly pay millions more by the end of the concession contract, far exceeding its initial cost.
- From 2015 to June 2020, the Tirana incinerator has received about €25 million from the state budget. This means that in the first two years of the 30-year concession contract, and before having built the incinerator, the concessionaire has received over 20 percent of its total cost.
- The three concession contracts for the construction of incinerators have cost Albanian taxpayers €72 million until June 2020, while they have all failed to provide the expected services.

According to data from INSTAT, less than 1% of waste is incinerated and that number actually decreased from 2018 to 2019 instead of increasing. According to the Albanian National Plan it was envisaged that, until 2020, 55 % of municipal waste shall be recycled and composted, but that number was much lower by November 2020. Recycling in Albania has not seen no improvement in terms of quantity.

Another target is the increase of the minimum collection percentages for batteries, accumulators and their waste at national level from 25 % in 2015 to 65 % by 2025 based on the Decision of the Council of Ministers (DCM) No. 866 'On batteries, accumulators and their waste', dated 04/12/2012.

The national strategy on waste management (covering 2010–2025) is being revised but implementation remains at an early stage. Work done on waste landfills has brought waste treatment facilities closer to the EU standards. Further efforts are needed to close the gap for non–compliant landfills, increase the separate collection of different waste streams and reduce bio–waste. Economic instruments to promote recycling and prevent waste generation remain limited.

### 2.2.5 Air Quality

In accordance with the World Health Organization's guidelines, the air quality in Albania is considered moderately unsafe. The most recent data indicates the country's annual mean concentration of PM2.5 is 18 $\mu g/m^3$ which exceeds the recommended maximum of 10 $\mu g/m^3$.Contributors to poor air quality in Albania include oil and gas extraction, inefficient technologies to heating homes, cement production, and an increase in vehicle emissions. Available data indicates that Tirana, Elbasan, and Korçë have consistently high levels of air pollution.[21]

Albania has also been ranked the second country with the highest pollution-related deaths in Europe, according to the yearly European Environment - state and outlook 2020 report. Second only to Bosnia and Herzegovina, roughly 23 percent of deaths in Albania were caused by air and noise pollution. Similar to Albania, most Eastern Europe countries were linked to poorer living conditions, which in turn promote the use of wood and coal to provide heating (thus aiding in higher levels of CO2 emission), and extreme temperatures and weather conditions. Air pollution levels in Kosovo, based on information gathered from 2016, were higher than in Albania.

The adoption of the new environmental cross-cutting strategy for the period 2015–2020 has been delayed. As of late 2017, although several issue-specific strategies on environment exist, Albania does not have a visionary umbrella policy framework for environmental protection.

[21] https://apps.who.int/iris/bitstream/handle/10665/69477/WHO_SDE_PHE_OEH_06.02_eng.pdf;jsessionid=2104E160D802000 34BAFB5610A114AA0?sequence=1

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According to a 2020 report published by the European Environment Agency, people in Albania have a higher chance of dying from pollution than those in Western Europe. Albania found itself second on the "worst countries" list, after Bosnia and Herzegovina. In BiH, 27% of deaths are related to air pollution and environmental issues. The rate of deaths is the highest in Europe, and 14 percentage points higher than the median of the EU which is just 13%. With 23% of recorded deaths due to environmental matters, it is 10 percentage points higher than the European average.

The report said that pollution was resulting in a number of premature deaths. On average, 26,000 years of life have been lost over the last decade due to air pollution. All of these deaths have occurred under the age of 65. Then in January 2020, the Numbeo Pollution Index placed Tirana as the third most polluted city in Europe. The top spot was taken by Tetovo in North Macedonia followed by Chelyabinsk in Russia. Its levels of pollution had increased as compared to figures from the previous year.

In June 2019, Albania adopted decision no. 412, dated 19.6.2019 on the approval of the national plan for air quality management which is the planning tool by which the Albanian Government aims to implement the 2008/50 / EC1 Directive on the assessment and management of ambient air quality, as well as relevant daughter directives, in accordance with the requirements of law no. 162/2014 "On the protection of ambient air quality".

The Government committed to reduce $CO_2$ emissions in the period 2016–2030 by 11.5 per cent compared with the baseline scenario. Another target is to reduce energy consumption by 9 per cent by 2018 compared with average consumption in the period 2004–2008. In the area of renewable energy, Albania aims to achieve a 38 per cent share of renewable energy sources in gross final energy consumption until the end of 2020, but achieving these goals by the end of the year seems unlikely.

Efforts have been made by Albania to comply with its international reporting obligations. However, the absence of monitoring data on species and habitats, air quality and greenhouse gas (GHG) emissions has impacted timely reporting in these fields.

## 2.6 Biodiversity and Protected Areas

In October 2020 the Japan International Cooperation Agency (JICA) and the Albanian Government signed a cooperation agreement on capacity building to improve ecosystem management in the Divjaka - Karavasta National Park. The main objective of the project is to increase the protection of nature and biodiversity in the protected areas of Albania. The project also aims to establish an ecosystem-based management approach and strengthen the function of the Divjaka - Karavasta National Park as well as to increase the human resource capacity of the Fier Regional Protected Area Agency (Fier ARZM), supporting the process of the ecosystem-based management model development for the enhancement of the capacity of NAPA officials in sustainable park management.

The National Strategy for Development and Integration (NSDI) 2007-2013, revised and updated as NSDI 2014-2020, was adopted in 2015. This document identifies the major goals and objectives for nature protection in accordance with the EU biodiversity strategy and in line with Aichi Biodiversity Targets to 2020 on CBD.

In light of the accession of the Republic of Albania to the EU, and as a candidate country to the EU, Albania started the transposition process of the EU directive to its national legislation nearly one decade ago. The focus of this process is on the establishment of a new legislative and institutional nature protection framework considering Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora i.e. Habitats Directive, Council Directive 2009/147/EC on the conservation of wild birds i.e. Birds Directive, CITES regulations and other relevant legislation. Within the current status of a

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candidate country, another obligation to be fulfilled is related to the establishment of the Natura 2000 network and there is an undergoing IPA project that follows comprehensive network development. Further on, some additional EU directives that are relevant for the marine environment are the Water Framework Directive 2000/60/ EC and the Marine Strategy Framework Directive (Marine Directive 2008/56/ EC).

In April 2020, Albania adopted Law no. 57/2020 on forests,[22] which aims at protection of forests as assets of special importance, for their great and irreplaceable values in the protection of climate, land, preservation and improvement of productive potentials, balances of natural environment, biodiversity, genetic resources and hydric regime, as obligations of national and international interest, and which is partially approximated with:

- Council Regulation (EC) no. 2173/2005, dated 20 December 2005 "On the establishment of a FLEGT licensing scheme for imports of timber in the European Community";
- Regulation (EU) no. 995/2010 of the European Parliament and of the Council, dated 20 October 2010 "On the determination of the obligations of operators who place timber and timber products on the market", as amended";
- Commission Implementing Regulation (EU) No 607/2012, dated 6 July 2012 "On detailed rules regarding the due diligence system and the frequency and nature of controls over monitoring organizations".

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[22] https://www.parlament.al/Files/ProjektLigje/20200507113711ligj%20nr.%2057,%20dt.%2030.4.2020.pdf


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