

# Albania's Biodiversity and Protected Areas

AN EXECUTIVE SUMMARY



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# **Albania's Biodiversity and Protected Areas**

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This report examines Albania's progress towards policy development to report to "Thirteenth Meeting of Conference of the Parties and Concurrent Meetings of the Cartagena and Nagoya Protocols" and to "Thirteenth meeting of the Conference of the Parties to the Convention on Biological Diversity" developed as an output of the Project on "Establishing Albania's Environmental Information Management and Monitoring System aligned with the global environmental reporting implemented by the Ministry of Environment and the United Nations Development Program (UNDP), with financial support of the Global Environment Facility (GEF).

#### ►► **A. Assessment and analysis of the "Cancun Declaration on Mainstreaming the Conservation and Sustainable Use of Biodiversity for Well-Being"**

The Cancun Declaration expresses the commitments of the countries party to the Convention on Biological Diversity, in recalling that the 2030 Agenda for Sustainable Development allows them to address the challenges faced by humanity in a transformative manner in environmental, economic and social terms. It is expected that declaration will be approved in Cancun, Mexico, on December 3, 2016.

The assessment and analyses report provides an evidence base underlying the mainstreaming of the conservation and sustainable use of biodiversity for well-being. It also looks on actions that would contribute to attaining the Aichi Targets, and what are the costs and benefits of these actions.

- **Integrating Development Priorities into NBSAPs:** In the last one and a half decade with the first NBSAP for Albania of 2000, revised and updated in January 2016 as the "Document on Strategic Policies on Biodiversity Protection", has made progress towards biodiversity conservation through institutional and legislative framework, and their implementation and enforcement in practice.
- **Integrating Biodiversity Priorities in National Development Plans, Sector Strategies and Sub-National Plans: Initially the National Environment Strategy (NES) 2007- 2013** considered the biodiversity as one of the priority areas of environment. The strategy clearly identifies the main areas of work, like the increase of the Protected Areas surface, the elaboration of Management Plans and their implementation; the completion of the legal framework in line with the EU *acquis* for nature and environment; the elimination of illegal

logging and hunting by the means of better enforcement of the legal framework as well as capacity building activities; implementation of action plans for threatened species and habitats and the update of the National Biodiversity Strategy and Action Plan as the main policy document for nature and biodiversity protection area.

- All these issues are also taken into consideration initially in the **National Strategy for Development and Integration (NSDI)** 2007-2013, revised and updated as **NSDI 2014-2020**, approved in 2015. This document identifies major goals and objectives for nature protection in accordance with the EU biodiversity strategy and in line with Aichi Biodiversity Targets to 2020 of the CBD.
- **Creating long-term systems change through implementation:** The inter-ministerial framework provides contemporary and integrated consideration of environmental factors related to transportation, agriculture, property rights, etc. This concept holds central and local government institutions responsible for environmental protection and the sustainable development of the country. The effective implementation of ECS is a legal obligation for all the institutions, the majority of which have been part of the consultation process. An Inter-Ministerial Working Group headed by the Minister of Environment (MoE) with high-level membership representing various line ministries was established to draft the ECS.
- **Essential activities throughout mainstreaming:** In June 2016 under the implemented GEF project 'Elaboration of the action plan harmonized with the Strategic Plan of the United Nations Convention to Combat Desertification (UNCCD) and the preparation of the National Report for the Convention' was completed the third National report that fulfills the reporting obligations and implementation of the UNCCD in the country.

**Table 1 Enabling activities, reports submitted to CBD**

<b>Enabling Activities, Reports submitted to CBD</b>	
Updated National Biodiversity Strategy and Action Plan	January 2016
Fifth National Report	June 2014
Fourth National Report	April 2011
Third National Report	June 2007
Second National Report	June 2007
Review of the Implementation of the Protected Areas Work Programme	June 2007
Thematic Report on Protected Areas	May 2005
National Biodiversity Strategy and Action Plan	November 1999
First National Report	November 1999
<b>Reports to the implementation of the Cartagena Protocol on Biosafety</b>	<b>Year of reporting</b>
Third National Report on the implementation of the Cartagena Protocol on Biosafety	January 2016
Second National Report on the Implementation of the Cartagena Protocol on Biosafety	November 2011
Interim Report on the Implementation of the Cartagena Protocol on Biosafety	November 2005

## ►► B. Summary of Albania's policy development to report to the "Eighth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety"

The Cartagena Protocol was ratified by the Albanian Parliament through the Law No. 9279, date 23.9.2004 "On the accession of the Republic of Albania at Cartagena Protocol on Biosafety to the Convention of biological diversity". Albania has acceded to the Supplementary Protocol on Liability and Redress of the Cartagena Protocol on Biosafety by the Law No. 112/2013, dated 22.11.2012.

- **Policy development and current situation:** A National strategy for socio-economic development as a result of a dialogue between the International Monetary Fund and the government of Albania is the strategy for Agriculture and Food. Further to that the current government has designed new strategy for development and integration which is designing for the 2014-2020. New strategy has included all sectors, for priority for government are the environmental issues with all its components and agriculture sector. The intention of current policy is focused in food safety, human health and biodiversity. The sectoral **Strategy of Agriculture and Food** approved in 2007, has several objectives, including: "Guaranteeing increased standard of food safety for whole population" This strategy aims to improve: improvement of control legislation, institutional strengthen, improvement of technologies of production, etc.,
- **Policy in Food safety:** At the national level pursuant to the provisions of Law No. 9863, date 28.01.2008 "On Food", the National Food Authority (NFA) was established as subordinate of the Ministry of Agriculture, Rural Development and Water Administration by DCM No. 1081, date 21.10.2009 "On the organization and functioning of the National Food Authority". According to the law, one of the major tasks of NFA is "to direct the process of risk assessment in food ". The General Directorate of Customs plays an important role on the implementation of the Cartagena Protocol on Biosafety regarding trans-boundary movements of GMO-s.
- **Progress in Food safety and veterinary institutional framework in Albania:** The Albanian Government considers food safety and consumer's health protection a policy priority in its agenda. The basic law in Albania on food safety is Food Law No 98631, (dated 28.01.2008). It provides the basis and principles for a higher standard necessary to better protect human life and health. It represents consumers' interests, and sets requirements for production and circulation of safe food and feed.
- **Progress in Food safety and animal welfare minimum standards in Albania.** According to the European Union, animals are sentient beings. The general aim of animal welfare regulations is to ensure that animals need not endure avoidable pain or suffering and obliges the owner / keeper of animals to respect minimum welfare requirements. Human safety along the food chain is indirectly affected by the welfare of animals; particularly those farmed for food production, due to the close links between animal welfare, animal health, and food borne diseases. There is a need for a new draft legal act is necessary this law will regulate the safe transfer, handling and use of LMOs, including for contained use, import, export and transit.

### ►► C. Summary of Albania’s policy development to report to the “Second meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol on Access and Benefit-sharing”

The objective of this Protocol is the fair and equitable sharing of the benefits arising from the utilization of genetic resources, including by appropriate access to genetic resources and by appropriate transfer of relevant technologies, taking into account all rights over those resources and to technologies, and by appropriate funding, thereby contributing to the conservation of biological diversity and the sustainable use of its components.

- One of the clearest intentions to regulate access to genetic resources can be found in **Albanian’s Biodiversity Law no. 9587, dated 20.7.2006, amended in 2014**, which establishes the bases for use of genetic resources for different purposes, collection, use of genetic material and samples from ex-situ samples and standards for transfer of use. Further to that the law establishes that “genetic resources may be provided for use to other States on the basis of advance agreement in writing on the terms and manner of sharing the benefits arising from such transfer under mutually advantageous terms” and, that the terms and a procedure for provision of access to genetic resources will be established by specific agreement regulation adopted by the Ministry of Environment.
- The Albanian Government considers food safety and consumer protection as a priority in its reform agenda. **The Food Law No. 9863, date 28.01.2008** within its chapter VII dedicated to “New Food” establishes the bases for these food type categories including GMOs, food security issues and control. The creation of the National Food Authority was sanctioned through this law as well. Albania is using the “Guidance on Risk Assessment of LMOs”.

### ►► D. Summary on Albania’s policy development to report to the “Thirteenth meeting of the Conference of the Parties to the Convention on Biological Diversity”

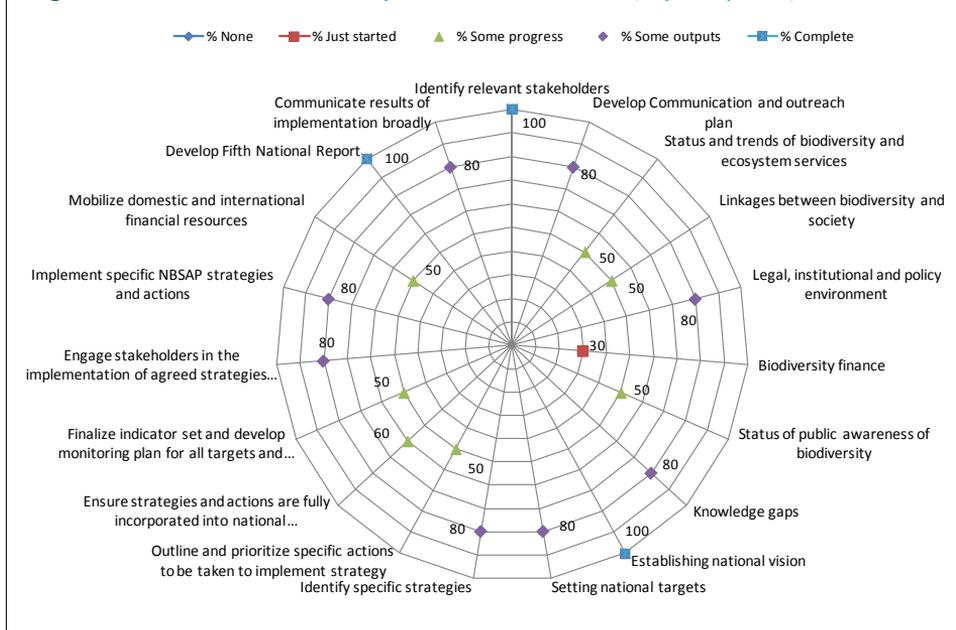
The updated National Biodiversity Strategy and an Action Plan for the Period 2015-2020 has been adopted in January 2016. The update process was developed through facilitated participative stocktaking exercise on biodiversity planning and development of national biodiversity targets in response to the global Aichi Targets.

- The cross-sectoral strategy after the Stabilization and Association Agreement signature, the **National Environment Strategy 2007- 2013** considered nature conservation and biodiversity as one of the priority areas of environment. This document clearly identifies the main areas of work, namely: (i) The increase of the Protected Areas coverage up to 20% on terrestrial PAs and 10% on marine and inland water’s PAs; (ii) The elaboration of Management Plans and their implementation in the field; (iii) The completion of the legal framework in line with the EU *acquires* for nature and environment in accordance with the Birds and Habitats Directive; (iv) The elimination of illegal log-

ging and hunting by the means of better enforcement of the legal framework as well as capacity building activities; (v) Implementation of action plans for threatened species and habitats and the update of the National Biodiversity Strategy and Action Plan as the main policy document for nature and biodiversity protection area.

- All these issues were largely considered also within the **National Strategy for Development and Integration for the period 2007-2013**, and its revised and updated version **NSDI 2014-2020**, as well as measures were taken from 2013 onwards such as the approval of seven management plans, the transposition of the Birds and Habitat Directive to a 99% scale, the hunting moratorium.
- **EU Accession:** In light of the accession of Republic of Albania to the EU, and as a candidate country to the EU, Albania has started the transposition process of the EU directive to its national legislation for nearly one decade. In focus are 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 current status of a candidate country, the obligation of establishing the **Natura 2000 network** arises as well and there is undergoing IPA project that follows comprehensive network development. Further on additional EU directives that are relevant for the marine environment are the **Water Framework Directive 2000/60/EC** and **Marine Strategy Framework Directive (Marine Directive 2008/56/EC)**.
- **Strategic Documents:** The principles of a sustainable development are integrated into a number of strategic and legal documents. The most important are the **Environment Crosscutting Strategy**, the **National Strategy for Development and Integration (NSDI)**, the **National Plan for the European Integration** and the **NBSAP**.

**Figure 1 State of action towards implementation of NBSAP (Expert opinion)**



- Biodiversity conservation:** Nature Protection in principle is guaranteed through **Law No. 10431, dated 14/06/2011 “On Environmental Protection”**, in Article 5 of which is defined that “conservation of biological diversity is one of the key environmental elements. Further to that there are several legal acts guaranteeing nature protection in the Republic of Albania such as: Law No. 9587 **“On Biodiversity Protection”**, amended recently by Law No. 68/2014; Law No. 10006/2008, **“On Wild Fauna Protection”** foresees protecting important habitats for birds in general and migratory birds in particular; Law No. 8906/2002, “On protected areas” amended by Law No. 9868/2008 “On some addendums and changes in Law No. 8906, date 06.06.2002 **“On protected Areas”**; Law No.9867/2008, **“On rules and procedures for international trade of endangered species of flora and fauna”**; To ensure the implementation of these laws, a number of bylaws have been promulgated to complete the legal basis for specific elements of nature protection, including the listing of protected fauna and flora species published in the **Red Book of Albanian Flora and Fauna, latest publication is in December 2013.**
- Strategy of Forests and Pastures Development** is under development and is estimated to be approved by mid-2016. This is a document which determines the long term strategy directions for the development of the forestry and pasture sector. The government priorities are: sustainable management of natural resources, through rebuilding and enhancing local government structures for environmental management, control of illegal harvesting operations, transferring of forest and pasture areas to the communes either in ownership or utility title; completion of legal framework on management,

and finding ways for common state-community management of forest and pasture areas, especially for long-term lease of pastures.

- A significant development was the initiative taken by the Minister of the Environment in late 2013 to propose to the Government a **hunting ban law** for Albania for a certain period of time. As the result the Parliament approved in March 2014 the Law “On the hunting ban in the Republic of Albania for a two-year period until 2<sup>nd</sup> June 2016 which was extended for additional period of five years in June 2016.
- With the institutional reform that took place in 2014, **water administration** is a competency that falls under the Ministry of Agriculture, Rural Development and Water Administration. The legal framework on which water is administered and managed is as follows: **Law 111/2012/2012 “On Integrated Water Resources”** – it fully complies with EU Directive 2000/60/EC of European. The **law no. 8905/2002, on “Protection of Marine Environment from Pollution and Damage”** aims to protect the marine environment of the country from pollution and damages and to prevent and avoid possible impacts that can be caused by the human activities in coastal and sea areas, which have a negative impact on water quality, damage water sources, endanger the fauna and flora, threaten human health, by making more difficult the normal development of activities in this environment.
- **Spatial planning** in Albania is based on **the Law nr. 10119/.2009 “For spatial planning”**.
- Other **crosscutting sectorial laws include: Law No.115/2015 “On administrative-territorial division of the Republic of Albania”** which approves the new territorial planning that came in place on June 2015, for the division of the country in 61 municipalities by merging all the communes into municipalities. **Law No. 9780/2007: “On inspection of the building activity in accordance with the by-laws”**. This law aims to ensure compliance with the norms, standards and legislation in the field of construction, urban planning and water resources throughout the country, in a decentralized manner and in accordance with the principle of subsidiary, according to the administrative division. The **Law nr. 9734/2007 “On Tourism”** regulates the relations between public institutions and private entities, juridical and physical persons, domestic or foreign that conducts tourism activities, defines the rights and obligations of the subjects participating in these activities, in accordance with the standards established in this law, and other issues related to tourism.



