



**REPUBLIC OF ALBANIA
MINISTRY OF ENVIRONMENT**

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**THIRD MEETING OF THE PARTIES
1 – 4 June 2004, Cavtat, Croatia**

**Honorable Mr. Chairman,
Honorable Ministers,
Honorable representatives of international institutions,
Distinguished Heads of Delegations,
Ladies and Gentlemen,**

**STATEMENT OF MINISTER OF ENVIRONMENT OF ALBANIA;
PROF. DR. ETHEM RUKA
AT THE THIRD MEETING OF THE PARTIES**

On behalf of the Albanian Government, I avail myself of the opportunity to thank the United Nations Economic Commission for Europe (UNECE) and the Government of Croatia, and personally, the Minister of Environment of Croatia, for the invitation and for the excellent organization of this very important event.

It is my pleasure to participate in this event and share together the progress made since the Second Meeting of the Parties three years ago.

The Ministry of Environment has undertaken several measures in order to improve the environmental situation and to promote sustainable development in Albania. Progress has been made in all the priority areas: institutional strengthening, completion and approximation of legislation, legislation enforcement policy, environmental improvement, regional and international cooperation, sectorial integration and public participation, etc.

The Ministry of Environment, bases its activity on the political documents that include the Government Program, The National Environmental Action Plan, The Strategic Plan of the Albanian Government on European Integration, the EC Reports, the European Partnership document, the National Strategy for the Social and Economic Development, etc.

At the national level and more specifically concerning the environment, the goal of integration into the European Union was set as a constant priority requirement, within which the local environmental legislation approximation with standards and requirements of the EU, had its own importance and role.

In such conditions, completion of the environmental legal framework and approximation of it with EU directives were considered as a sole task and were identified as the main priority of the state obligations towards environment and as an important step in the European integration of Albania.

Years 2002 and onwards are bringing important amendments in environmental legislation. During these years were approved and are effective nine laws, to be mentioned here the new law "On Environment Protection", a specific law "On Environmental Impact Assessment" and a group of Decisions of the Council of Ministers which facilitate the implementation of laws.

The law no.8990, dt.23.01.2003 "On the EIA" has started being implemented. A number of by-laws have been prepared / approved which are meant to facilitate its implementation and enforcement, comprising:

- The DCM "For the documents to be presented by applicants for issuing an environmental permit" /approved in 2003
- DCM "For the rules of certification of EIA and environmental auditing experts"/approved in 2003.
- DCM "For the list of activities with an environmental impact" / approved in 2003.
- Draft – "Regulation for the permitting" / prepared
- Draft - "Guidelines for the duties of the environmental structures for ensuring the public and NGO participation in the EIA process"/ on-going.

and a set of regulations, checklists, orders etc.

For the first time, according to law "On Environmental Protection" and DCM "For the rules of certification of EIA and environmental auditing experts", the Minister of Environment has issued the licenses for 30 national EIA experts, which is expected to improve the quality of EIA reports.

Regarding Strategic Environmental Assessment, according to new legislation, strategies and action plans on energy, mining, industry, transport, agriculture, forestry, management of natural resources, waste management, territory

planning at national and local level (urban, rural, industrial, protected areas, tourism development) are subject to strategic environmental assessment.

A very important element is the environmental declaration, provided by the Ministry of Environment for strategies, plans etc. which approves or does not approve the strategy, plan etc. If the environmental declaration is negative, the strategy, plan should not be approved by respective decision making bodies. If it approves strategy or plan, the approval by respective decision making bodies (construction, operation permit), should be done in compliance with environmental declaration and environmental protection law.

First practices of environmental declarations, cooperation since the initial phase of plan preparation, preparation of ToR-s, public participation in the process, except the law implementation provide sustainable development.

The Council of Ministers of Albania, on 15.05.2003, approved the Protocol on Strategic Environmental ~~Protection~~ ^{Assessment}, which is signed in Kiev, on 21.05.2003.

New developments regarding strategic environmental assessment, the signature of Protocol and the preparatory work done for its ratification, will lead to the ratification of Protocol on Strategic Environmental Assessment by Albanian government at the end of 2004.

Related to EIA in a transboundary context, the Republic of Albania implements the principles of the UNECE Convention on EIA in Transboundary context, to which it is a party, as well as other general provisions and norms of the international environmental law. A draft law on EIA procedure in transboundary context is in the preparation process and will be finalized by the end of 2004.

Albania is Party to ESPOO Convention since 1991, ratified by the Republic of Albania in October 1991.

The main achievements related to the implementation of the provisions of the Convention are related mainly with **Strengthening of international cooperation regarding EIA, mainly through bilateral agreements;**

Special commitment has been shown in the strengthening of the bilateral cooperation with the neighboring countries, which was finalized with the signing of the two Memorandums of Understandings, respectively with Greece and Montenegro and the conclusions of the procedures by the Albanian side on the Memorandum of Understanding for the joint management of the Ohrid Lake watershed.

The same procedure started up for the preparation of a similar cooperation document with Croatia. Ideas have been exchanged between the two ministries and a final draft has been prepared. It is expected to be signed by the President of the Republic of Albania during his future visit in Croatia in June 17-18, 2004.

Another Memorandum of Understanding has been finalized with the Ministry of Environment of Kosovo, which is to be signed by both ministers at the end of June 2004.

Besides the Memorandums of Understandings between the homologue ministries, regional cooperation has been promoted through a number of regional projects approved recently such as:

- “Integrated management of Shkodra Lake ecosystem” project, supported by World Bank. The project is jointly asked for by Albania and Montenegro. The main objective being to assist both neighboring countries in biodiversity conservation and pollution prevention at Shkodra lake by modifying the sectorial policies (agriculture, industry, forestry, etc.) by promoting sustainable practices for fisheries, eco-tourism, and by creating the conditions for the joint management of the lake eco-system
- “Integrated management of eco-systems of the regional transboundary Prespa Park” project (GEF/UNDP). Objective: to develop the technical bases for the big project, establish structures of project management and co-ordination, stimulate the different actors for the implementation of the full project. The long term objective is to promote the integrated management of the ecosystem at the regional transboundary Prespa Park through the participation of all stakeholders and through growing cooperation between the three participatory countries in the project (Albania, Macedonia, Greece).
- “Ohrid Lake conservation” project is being finalized. The main objective has been the development of the bases for a joint management of the lake between Albania and Macedonia.
- “Conservation of coastal and wetland ecosystems of the Mediterranean region” is another regional project in Albania. The overall objective of the project is the sustainable management and biodiversity conservation in 6 Mediterranean countries. Through the preparation of the appropriate legal frame, institutional and capacity building, experience exchange, concrete actions, etc.

In order to provide sustainable development, according to Albanian environmental legislation, sector strategies, national action plans, etc. shall be formulated in compliance with principles and priorities of the national environmental strategy, while strategies, plans and programs for development of the economy and its branches at the national and local level shall ensure integration of the requirements for protection of environment, in compliance with the national environmental strategy.

Following the law “On Environmental Protection”, approval of plans, projects, etc. should be made by the related decision-making structures in conformity with the conditions set by the Ministry of Environment in the environmental declaration, and there are examples of environmental declarations issued by the Ministry of Environment for different plans and projects.

To be mentioned is the fact that there are cases of cooperation since the preparation of ToR-s, such as CARDS 2002 projects, where are involved Ministry of Environment, Ministry of Local Government and line ministries.

A step further is done regarding public awareness and participation.

The most important issue of EIA law is the role of public in the EIA process. Public participation is an open process for national and local organs, public, NGO-s, the obligation for consultation with authorities that provide construction and operational permit, national and local authorities and their duties and responsibilities in this process.

To be mentioned too, is the public debate. The project and the EIA report shall undergo a public debate with the participation of the ministry that provides the permit, territory planning and tourism authorities, local government authorities, specialized institutions, public interested, NGO-s, proponent, developer, etc. debate shall be organized and directed by the local government authorities where the project will be implemented.

A number of strategies, documents, and politic instruments for the environment have been prepared with its participation and where public is considered as very important in the decision making process.

Following the preparatory work for the ratification of Protocol on Strategic Environmental Assessment, the Ministry of Environment of Albania is preparing for the ratification of two amendments to the ESPOO Convention within 2004.

Honorable colleagues,

Once again, I would like to thank you for the organization of this special event. On behalf of the Albanian Government, let me express you the commitment of the Ministry of Environment of Albania, for its future engagements, to fulfill the provisions of the Convention and its Protocol and to provide environmentally sound and sustainable development.

Thank you!

Prof. Dr. Ethem RUKA

Minister of Environment of Albania