

Questionnaire for the report of ALBANIA on the implementation of the Convention on Environmental Impact Assessment in a Transboundary Context in the period 2019–2021

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Part one

Current legal and administrative framework for the implementation of the Convention

In this part, please provide the information requested, or revise any information relative to the previous report. Describe the legal, administrative and other measures taken in your country to implement the provisions of the Convention. This part should describe the framework for your country's implementation, and not its experience in the application of the Convention.

Please do not reproduce the text of the legislation itself but summarize and explicitly refer to the relevant provisions transposing the text of the Convention (for example, Environmental Impact Assessment Law of the Republic of ..., article 5 (3) of Government Resolution No. ..., para. ... item...)

Article 1

Definitions

1.1.1. Is the definition of the term “impact” for the purpose of the Convention the same in your legislation as that contained in article 1 (vii)?

- (a) Yes
- (b) Yes, with some minor differences (please explain the differences):
- (c) No, there are major differences (please explain the differences):
- (d) The term “impact” is not defined in the legislation

Your comments:

Environmental Impact Assessment Law of the Republic of Albania no. 10440, date 07.07.2011, as amended, defines the term “Environmental Impact Assessment (EIA)” as the process carried out for the assessment of significant impacts, direct or indirect, on the environment from proposed public or private projects through:

- a) preparation of the environmental impact assessment report by the developer;
- b) conducting consultations according to the requirements and procedures set out in Chapter III of the aboved mentioned law;
- c) review by the competent authority of the environmental impact assessment report and any other additional information from the developer, when necessary, as well as any other relevant information obtained through the consultation process;
- ç) the conclusion reached, justified by the competent authority, for the significant environmental impacts of the project, taking into account the results of the review of the environmental impact assessment report by the competent authority and when appropriate its additional review;
- d) involvement in the decision approving the development of the project by the authority responsible for approving the development of the conclusions reached justified by the competent authority.",

as well as

“Significant Environmental Impact” as follow: Significant Environmental Impact means the impact, of an activity or project, to the environment, which causes direct and irreversible damages to it and which, even after taking the mitigation measures, the negative impact can not be prevented, controlled or eliminated completely.

I.1.2. Is the definition of the term “transboundary impact” for the purpose of the Convention the same in your legislation as that contained in article 1 (viii)?

- (a) Yes, the same
- (b) Yes, with some minor differences (please explain the differences):
- (c) No, there are major differences (please explain the differences):
- (d) The term “transboundary impact” is not defined in the legislation

Your comments: In the Albanian national legislation the definition for "Transboundary environmental impact assessment" is as follows: the EIA process, which takes place for projects or activities, defined in Annex I of the United Nations Convention (ESPOO) "On environmental impact assessment, in a cross-border context" which, based on their location or technology, can have significant negative impacts on the environment of neighboring countries or our country.

I.1.3. Please specify how the term “major change” is defined in your national legislation:

- (a) It is not defined
- (b) By using thresholds
- (c) By using criteria
- (d) On a case-by-case basis

Your comments:

Referring to the Law No 10440 of 7.07.2011 “On environmental impact assessment” as amended “Project” means:

- a) the implementation of construction or installations work or other schemes;
- b) other interventions in the environment or natural landscapes, including the interventions related with mineral extraction.

Any change or addition to the projects listed under Annex I or Annex II of the law, with a prior licensing, which can cause significant negative environmental effects must be subject of the screening procedure (preliminary EIA procedure as defined in the Albanian Legislation).

I.1.4. How do you identify the public “of the affected Party in the areas likely to be affected”? Please specify (more than one option may apply):

- (a) Based on the geographical location of the proposed project
- (b) By making the information available to all members of the public and letting them identify themselves as the public concerned
- (c) By other means (please specify):

Consults with these stakeholders, the responsibility of which is related to the plan or program, and asks them, to submit their suggestions for issues they want to be addressed in this report:

- *institutions of public health protection;*
- *local government units;*
- *institutions protecting agricultural land;*
- *environmental organizations (NGOs) active in the field of environmental protection and registered under the legislation in force;*
- *other institutions identified with liability in the proposal (ministries etc.).*

Your comments:

I.1.5. How do you determine the “significance” of the environmental impact of the activities falling within the scope of the Convention?¹ Please specify (more than one option may apply), providing relevant explanations:

- (a) By establishing threshold levels (please explain)
- (b) By applying criteria related to the location of proposed activities
(please explain)

In appendix 2 of the Decision no. 598, dated 1.7.2015 "On Determining the Rules and Procedures for the Assessment of the Impact on the Transboundary Environment" are defined the general criteria in the evaluation of the activity:

Project size: *Type of activity, land area you want used and operations to be performed in it, production capacity and raw materials, the use of natural resources and their quantity, type and amount of emissions into the environment, requirements and energy consumption, facilities and the infrastructure to be built, the type of waste and the amount of their generation.*

- (c) By applying criteria related to the nature of proposed activities
(please explain)
- (d) By applying criteria related to the size of proposed activities
(please explain)

In appendix 2 of the Decision no. 598, dated 1.7.2015 "On Determining the Rules and Procedures for the Assessment of the Impact on the Transboundary Environment" are defined the general criteria in the evaluation of the activity:

Location: *The proposed activity will take place in a transboundary area and near the border line, in a protected area, of importance international, near water sources, in an area of sensitivity ecological (habitat of species), near inhabited centers and in the vicinity of cultural objects, on a sloping terrain with exposure from the territory of neighboring state.*

- (e) By applying criteria related to the effects of proposed activities
(please explain)

In appendix 2 of the Decision no. 598, dated 1.7.2015 "On Determining the Rules and Procedures for the Assessment of the Impact on the Transboundary Environment" are defined the general criteria in the evaluation of the activity:

Consequences: *The proposed activity will have significant impacts negative environmental issues that extend beyond the territorial borders of the Republic of Albania and to varying degrees negatively affect values natural state of the neighboring state / s, as well as in the health of the population. In some cases, the proposed activity may have significant effects cross-border highly displaced from the place of its development and that may cross the borders of a neighboring state*

- (f) Other (please explain):
- (g) It is not determined (please explain:)

Your comments:

I.1.6. Please clarify whether “cumulative impacts” are taken into account in transboundary procedures under the Convention in your national legislation and, if so, how:

- (a) Yes, the legislation provides for taking into account cumulative impacts:

Please explain:

¹ Although the term “significance” is not explicitly defined in the Convention, appendix III thereto provides general criteria to assist in determining the environmental significance of activities not listed in appendix I.

In appendix 4 of the decision no. 598, dated 01.07.2015 "On Determination of Rules and Procedures for Transboundary Environmental Impact Assessment", point 6, the letter a) is derermined: Purpose of assessment (cumulative impact, assessment of alternatives, etc.)

(b) No, the legislation does not provide for taking into account cumulative impacts

Please explain:

Your comments:

Article 2

General provisions

I.2.1. Provide information on legislative, regulatory, administrative and other measures taken in your country to implement the provisions of the Convention (art. 2 (2)):

(a) Law on environmental impact assessment (please provide exact title/reference number/year/access link, if any):

(b) Environmental impact assessment provisions are transposed into another law/other laws (please specify and provide title(s) of the related legislation):

Law no.10 440, date 7.7.2011 "On Environmental Impact assessment"

This law is fully aligned with Council Directive 85/337 / EEC of 27 June 1985 "On the assessment of the effects of public and private projects on the environment", amended, number CELEX:31985L0337, Official Journal of the European Union, series L, no. 175, dated 5.7.1985, pages 40-48.

Law 152/2020 "On some additions and amendments to the law no. 10 440, dated 07 07.07.2011" On environmental impact assessment"

"This law is partially aligned with:

- Directive 2011/92 / EU of the European Parliament and of the Council of 13 December 2011 on the assessment of effects of some public and private projects on the environment ", changed". CELEX number 32011L0092, Notebook Official of the European Union, series L, no.26, dated 28.1.2012, pp.1-21.

(c) Regulation (please indicate number/year/title/related articles/access links):

(d) Administrative (please indicate number/year/title/related articles/access links):

(e) Other (please specify):

Decision no. 598, date 1.7.2015 "On definition of Regulations and Procedures to Improve the Transbondary on the Environment"

This decision aims to make a full approximation of Directive 2011 / 92IEU of the European Parliament and of the Council, dated 13 December 201 1, "On the assessment of impacts caused to the environment by public and private projects" (celex-32011L0A92, OJ. L 26,28.1.2012), amended by Directive 2014 / 52IEU, of the European Parliament and of the Council, dated 16 April 2014 (celex-32} 14L0052, Ol.L 124,25.4.2014)

Please explain:

I.2.2. Is the list of activities referred to in appendix I to the Convention fully transposed into your country's national legislation?

(a) Yes. There is no difference, all activities referred to in appendix I are covered by national legislation

Please elaborate, as needed:

(b) No. Activities covered by national legislation differ slightly from the activities referred to in appendix I

(c) No, there are gaps remaining in the list of activities in the national legislation

Please explain:

I.2.3. Indicate the competent authority/authorities responsible for carrying out the environmental impact assessment procedure in your country. Please specify:

(a) There are different authorities at the national, regional and local levels

(b) Authorities are different for domestic and transboundary procedures

(c) Authorities are the same for domestic and transboundary procedures

Please name the authority/authorities and its/their responsibilities:

Based on Law no.10440, dated 7.7.2011 on “Environmental Impact Assessment”, chapter III, article 14, In the environmental impact assessment process shall participate:

- a) the developer of the project;
- b) the ministry and its subordinate structures;
- c) line ministries and subordinate structures;
- d) local government units;
- e) public and non-profit organizations;
- f) institutions which have the responsibility to be involved in the EIA process;
- g) neighboring countries, in the case of EIA in a transboundary context, according to the requirement of ESPOO Convention.

The ministry checks the application documentation and forward the application to the National Environmental Agency (NEA) accompanied by the suggestive opinion of technical directorates.

NEA sends for opinion / consultation copies of the application to the institutions as following:

- *Line Ministries, depending on the project;*
- *Other institutions that, depending on the type of project, are responsible for permitting / authorizing / its licensing or responsible for planning and development, public health and emergencies natural and civil;*
- *Regional Environmental Agency (REA), in the region where the project is proposed to be implemented, which relevant instructions for obtaining opinions from local government units are also provided;*
- *informs the public, according to the procedures of the legislation in force for information and public involvement in decision-making;*
- *makes the decision on environmental impact assessment*

I.2.4. Is there an authority in your country that collects information on all the transboundary environmental impact assessment cases? If so, please name it:

(a) No

(b) Yes

If “Yes”, please clarify the type of information collected and provide access link, if available:

Your comments:

The Ministry of Tourism and Environment is the responsible authority to follow and monitor the transboundary impact assessment procedure..

Article 3 Notification

I.3.1. Article 3 (1) states that: “The Party of origin shall notify any Party which it considers may be an affected Party as early as possible and no later than when informing its own public about that proposed activity.” As a Party of origin, when do you notify the affected Parties?

- (a) During scoping
- (b) When the environmental impact assessment report has been prepared and the domestic procedure has started
- (c) After finishing the domestic procedure
- (d) At other times (please specify):

Your comments:

Based on point 2, title II of Decision no. 598, date 1.7.2015 “On definition of Regulations and Procedures to Improve the Transboundary on the Environment”.

Ministry, within 20 days working days from receiving the notification format and accompanying documentation from the project developer, forwarding the internship to the Ministry of Foreign Affairs of the Republic of Albania to notify the affected party of the proposed project to be subject to the EIA process in context transboundary, and invites him to participate in the relevant procedure. Notification is accompanied by the notification format of the neighboring country and the required documentation in English.

I.3.2. Please define the format of notification used in your country:

- (a) Notification is carried out using the tabular form in table 1 of decision I/4 on the format for notification adopted by the Meeting of the Parties at its first session (ECE/MP.EIA/2, annex IV, appendix, para. 32 and table 1)
- (b) Notification is carried out in the form of a letter containing all information detailed in decision I/4 of the Meeting of the Parties (ECE/MP.EIA/2, annex IV, appendix, para. 34)
- (c) A combination of (a) and (b) above (ECE/MP.EIA/2, annex IV, appendix, para. 35)
- (d) The country has its own format (please attach a copy)
- (e) No official format used

Your comments:

In appendix IV of the Decision no. 598, dated 1.7.2015 "On determining the rules and procedures for the assessment of the impact on the cross-border environment", is the notification format of the neighboring state

I.3.3. As a Party of origin, what information do you include in the notification (art. 3 (2))? Please specify (more than one options may apply):

- (a) Information on the proposed activity, including any available information on its possible transboundary impact (art. 3 (2) (a))
- (b) The nature of the possible decision (art. 3 (2) (b))
- (c) An indication of a reasonable time within which a response is required, taking into account the nature of the proposed activity (art. 3 (2) (c))
- (d) Relevant information regarding the environmental impact assessment procedure, including an indication of the time schedule for transmittal of comments (art. 3 (5) (a))
- (e) Relevant information on the proposed activity and its possible significant adverse transboundary impact (art. 3 (5) (b))
- (f) Other (please specify):

Your comments:

I.3.4. Article 3 (3) requires that “The affected Party shall respond to the Party of origin within the time specified in the notification”. As a Party of origin, please indicate whether your country’s legislative or regulatory framework defines a time frame for response to the notification by the affected Party/ies and, if so, how:

- (a) No, the time frame is not specified in the national legislation
- (b) Yes, the time frame is specified in the national legislation

Please indicate the time frame or its range as per your national legislation, in weeks/days:

- (c) The time frame is determined and agreed with each affected Party on a case-by-case basis

Please indicate the average time frame set on a case-by-case basis, in weeks/days:

In point 5, chapter II of Decision no. 598, dated 1.7.2015 "On Determining the Rules and Procedures for the Assessment of the Impact on the Transboundary Environment" the deadline to express interest in participating in the EIA procedure in the transboundary context can not be more than 6 weeks

Your comments:

I.3.5. Please specify the consequences should a notified affected Party not comply with the time frame for responding to the notification, as required by article 3 (3), and elaborate on the possibilities of extending the deadline:

In point 5, chapter II of the Decision no. 598, dated 1.7.2015 "On Determining the Rules and Procedures for the Assessment of the Impact on the Transboundary Environment" is defined as follows:

If the affected party expresses that he has no interest in participating in the procedure EIA in a transboundary context or not expressed within the deadline of specified in the notification of the ministry and in the notification format, which does not may be more than 6 (six) weeks, the EIA procedure follows performed without the involvement of the affected party, in accordance with the procedures of legislation in force on EIA.

Your comments:

I.3.6. Article 3 (8) states that: “The concerned Parties shall ensure that the public of the affected Party in the areas likely to be affected be informed of ... the proposed activity”. Which of the following approaches do you use to achieve this goal? Please specify:

- (a) Informing the point of contact for the Convention listed on the Convention website²
 Albania state
- (b) Other (please specify):

According point 7, article II, of the Decision no. 598, dated 1.7.2015 "On Determining the Rules and Procedures for the Assessment of the Impact on the Transboundary Environment

The affected party, in the case when it is in their interest to participate in the procedure in the transboundary context, must send the name to the ministry and details of the contact person (s) who will coordinate the consultations and meetings.

The Ministry, in cooperation with the developer, organizes events with the public according to the procedures of the legislation in force for informing and including the public in environmental decision-making, where it also invites the affected party to take parts during these hearings

Your comments:

² List available at <https://unece.org/environment-policy/environmental-assessment/points-contact-regarding-notification>.

I.3.7. On what basis does your country, as an affected Party, make the decision to participate (or not) in the transboundary environmental impact assessment procedure? Please specify:

- (a) Notified ministry/authority of the affected Party responsible for environmental impact assessment decides on its own based on the documentation provided by the Party of origin
- (b) Based on the opinion of the competent authorities of the affected Party
- (c) Based on the opinion of the competent authorities and of the public of the affected Party
- (d) Other (please specify):

Your comments:

I.3.8. Article 3 (5) (a) states that the Party of origin must provide affected Parties with “relevant information regarding the environmental impact assessment procedure, including an indication of the time schedule for transmittal of comments”.

How does your country, as a Party of origin, determine the time schedule referred to in article 3 (5) (a)? Please specify:

- (a) Following the rules and procedures of the Party of origin
- (b) Following the rules and procedures of the affected Party/ies
- (c) A combination of (a) and (b) above. Please specify the rules and procedures of the Party of origin and the affected Party/ies that are applied in the combination:
- (d) Other (please specify):

Your comments:

Articles 2 (6), 3 (8) and 4 (2) Public participation

I.3.9. Article 2 (6) of the Convention states that: “The Party of origin shall provide an opportunity to the public in the areas likely to be affected to participate in relevant environmental impact assessment procedures and shall ensure that the opportunity provided to the public of the affected Party is equivalent to that provided to the public of the Party of origin.”

How does your country’s environmental impact assessment legislation ensure that equivalent opportunities and rights to participate in the procedure are provided for the public of the affected Party?

- (a) As an affected Party:
 - (i) Not specified in the national legislation, but it is determined and agreed with the Party of origin on a case-by-case basis at the beginning of the transboundary procedure
 - (ii) Specified in the national legislation as follows:

Your comments:

- (b) As a Party of origin:
 - (i) Not specified in the national legislation; such equivalent opportunities and rights cannot be ensured in the procedure

Please explain:

(ii) Not specified in the national legislation, but it is determined and agreed with the affected Party on a case-by-case basis at the beginning of the transboundary procedure

(iii) Specified in the national legislation as follows:

The Ministry requests the affected party, based on the procedures defined in the national legislation, to inform and inform the public of the affected party, who may be significantly influenced by the plan or program, and to give him the opportunity to express his opinions. And comments regarding the plan or program and issues required to be included in the EIA report.

Your comments:

I.3.10. How can the public of your country, as an affected Party, express its opinion on the environmental impact assessment documentation of the proposed project further to articles 2 (6), 3 (8) and 4 (2)? Please specify (more than one option may apply):

(a) By sending comments in writing directly to the competent authority of the Party of origin, or to the ministry responsible for environmental affairs/focal point in the affected Party

(b) In a territory of the affected Party: by taking part in consultations [on the basis of the environmental impact assessment documentation] or a special event, where the opinions of the public are officially registered

(c) In a territory of the Party of origin: by taking part in consultations or a special event, where the opinions of the public are officially registered

(d) Other (please specify):

Your comments:

Article 4

Preparation of the environmental impact assessment documentation

I.4.1. How do you determine the relevant information to be included in the environmental impact assessment documentation in accordance with article 4 (1)? Please specify (more than one option may apply):

(a) By using appendix II

(b) By using the comments received from the authorities concerned during the scoping phase, if applicable

(c) By using the comments received from members of the public during the scoping phase, if applicable

(d) As determined by the proponent based on its own expertise

(e) By using other means (please specify):

Your comments:

I.4.2. Article 4 states that: “The environmental impact assessment documentation... shall contain, as a minimum, the information described in appendix II.” What quality control measures are provided for in the legislative or administrative framework of your country, as a Party of origin, to ensure sufficient quality of the documentation? Please specify:

(a) The competent authority checks the information provided and ensures that it includes all information required under appendix II as a minimum before making it available for comments

(b) By using quality checklists based on the requirements listed in appendix II

- (c) There are no specific procedures or mechanisms
- (d) Other (please specify):

Your comments:

I.4.3. How do you determine “reasonable alternatives” in accordance with appendix II (b)?

- (a) On a case-by-case basis
- (b) As defined in the national legislation (please specify):
- (c) Other (please specify):

Your comments:

Article 5

Consultations on the basis of the environmental impact assessment documentation

I.5. Does your national environmental impact assessment legislation provide for organizing transboundary consultations between the authorities of the Parties concerned?

- (a) Yes, it is obligatory
- (b) Yes, it is optional (please specify):
- (c) No, it does not have any provision on that

Your comments:

Article 6

Final decision

I.6.1. Please select from the list below the information that your country, as a Party of origin, in accordance with its legislative and administrative framework, should take due account of in the final decision on the proposed activity (art. 6 (1)):

- (a) Conclusions of the environmental impact assessment documentation
- (b) Comments received in accordance with articles 3 (8) and 4 (2)
- (c) Outcome of the consultations as referred to in article 5
- (d) Outcomes of the transboundary consultations
- (e) Comments received from the affected Party/ies
- (f) Mitigation measures
- (g) Other (please specify):

Your comments:

I.6.2. Are the comments of the authorities and the public of the affected Party and the outcome of the consultations taken into consideration in the same way as the comments from the authorities and the public in your country (art. 6 (1))?:

- (a) Yes
- (b) No Please explain the differences

Your comments:

I.6.3. According to article 6 (3): If additional information on the significant transboundary impact of a proposed activity, which was not available at the time a decision was made with respect to that activity and which could have materially affected the decision, becomes available to a concerned Party before work on that activity commences, that Party shall immediately inform the other concerned Party or Parties. If one of the concerned Parties so requests, consultations shall be held as to whether the decision needs to be revised.

Is there any regulation in your country that ensures the implementation of the provisions of article 6 (3)?

(a) No

(b) Yes, by legislation (please specify):

Regarding to Tittle IV, point 4 & 5, of the "Decision no. 598, dated 1.7.2015 "On Determining the Rules and Procedures for the Assessment of the Impact on the Traunboundary Environment".

4. If the Ministry, without starting the operation of the project, receives new information about other adverse transboundary environmental impacts that may occur, but that were not known at the time he issued the environmental statement and that may have affected its content, officially inform the affected party.

5. If the affected party requests to be consulted for review of the statement environment, the ministry enters into consultations on the need to review or not its

(c) Yes, by other means (please specify):

Your comments:

I.6.4. Do all activities listed in appendix I (items 1–22) and major changes thereto require a final decision to authorize or undertake such an activity in your legislative framework?

(a) Yes

(b) No

If "No", please list those activities listed in appendix I or major changes thereto for which there is no requirement for a final decision. Please explain why those activities/major changes do not require a final decision in your national legislation.

Article 7

Post-project analysis

I.7. Is there any provision regarding implementation of post-project analysis in your national environmental impact assessment legislation (art. 7 (1))?

(a) No

(b) Yes Please specify: Tittle V, 5 "Decision no. 598, dated 1.7.2015 "On Determining the Rules and Procedures for the Assessment of the Impact on the Traunboundary Environment".

Your comments:

Article 8

Bilateral and multilateral cooperation

I.8.1. According to article 8: “The Parties may continue existing or enter into new bilateral or multilateral agreements or other arrangements in order to implement their obligations under this Convention and under any of its protocols to which they are a Party. Such agreements or other arrangements may be based on the elements listed in appendix VI.”

Has your country established any bilateral or multilateral agreements to implement the Convention?

- (a) No
- (b) Yes Please specify with which countries:

If publicly available, please also attach the texts of any such bilateral and multilateral agreements, preferably in English, French or Russian.

The Republic of Albania has acceded to the multilateral agreement between the countries of Southeast Europe for the implementation of the convention “On environmental impact assessment in context transboundary” (ESPOO).

Law no. 11/2015 “On the accession of the republic of albania to the agreement multilateral between southeast european countries to implementation of the convention “on environmental impact assessment in a transboundary context ”

Multilateral agreement among the countries of south-eastern europe for implementation of the convention on environmental impact assessment in a transboundary context.

Your comments:

I.8.2. What issues do these bilateral agreements cover (appendix VI)? (More than one option may apply):

- (a) Specific conditions of the subregion concerned
- (b) Institutional, administrative and other arrangements
- (c) Harmonization of the Parties’ policies and measures
- (d) Developing, improving and/or harmonizing methods for the identification, measurement, prediction and assessment of impacts, and for post-project analysis
- (e) Developing and/or improving methods and programmes for the collection, analysis, storage and timely dissemination of comparable data regarding environmental quality in order to provide input into the environmental impact assessment
- (f) Establishment of threshold levels and more specified criteria for defining the significance of transboundary impacts related to the location, nature or size of proposed activities
- (g) Undertaking joint environmental impact assessment, development of joint monitoring programmes, intercalibration of monitoring devices and harmonization of methodologies
- (h) Other, please specify:

Your comments:

Complimentary information related to legal implementation of the Convention

I.9.1. Please describe how the steps required under your national legislation for carrying out a transboundary procedure are interlinked with a domestic environmental impact assessment procedure in the lead-up to the final decision.

In doing so, please also describe differences between the steps (i.e. screening/scoping, preparation of the environmental impact assessment, consultation, public participation, making a final decision) of a domestic procedure and a transboundary procedure, if any:

Alternatively, this question can be answered or supported by a schematic flow chart showing these steps.

Your comments:

PROCEDURE FOR ENVIRONMENTAL IMPACT ASSESSMENT IN TRANSBOUNDARY CONTEXT

INITIAL NOTICE OF THE PROJECT DEVELOPER

The developer, who intends to implement a project, applies to the responsible ministry for the environment, for environmental impact assessment preliminary or detailed, according to the legislation in force for environmental impact assessment.

Ministry, within 10 (ten) working days after receiving the application, if it evaluates that the proposed project could have significant effects on the environment of one or more neighboring states, the ministry requires developers to follow the environmental impact assessment procedures in a transboundary context, to complete the notification format of the neighboring state and the required documentation in it.

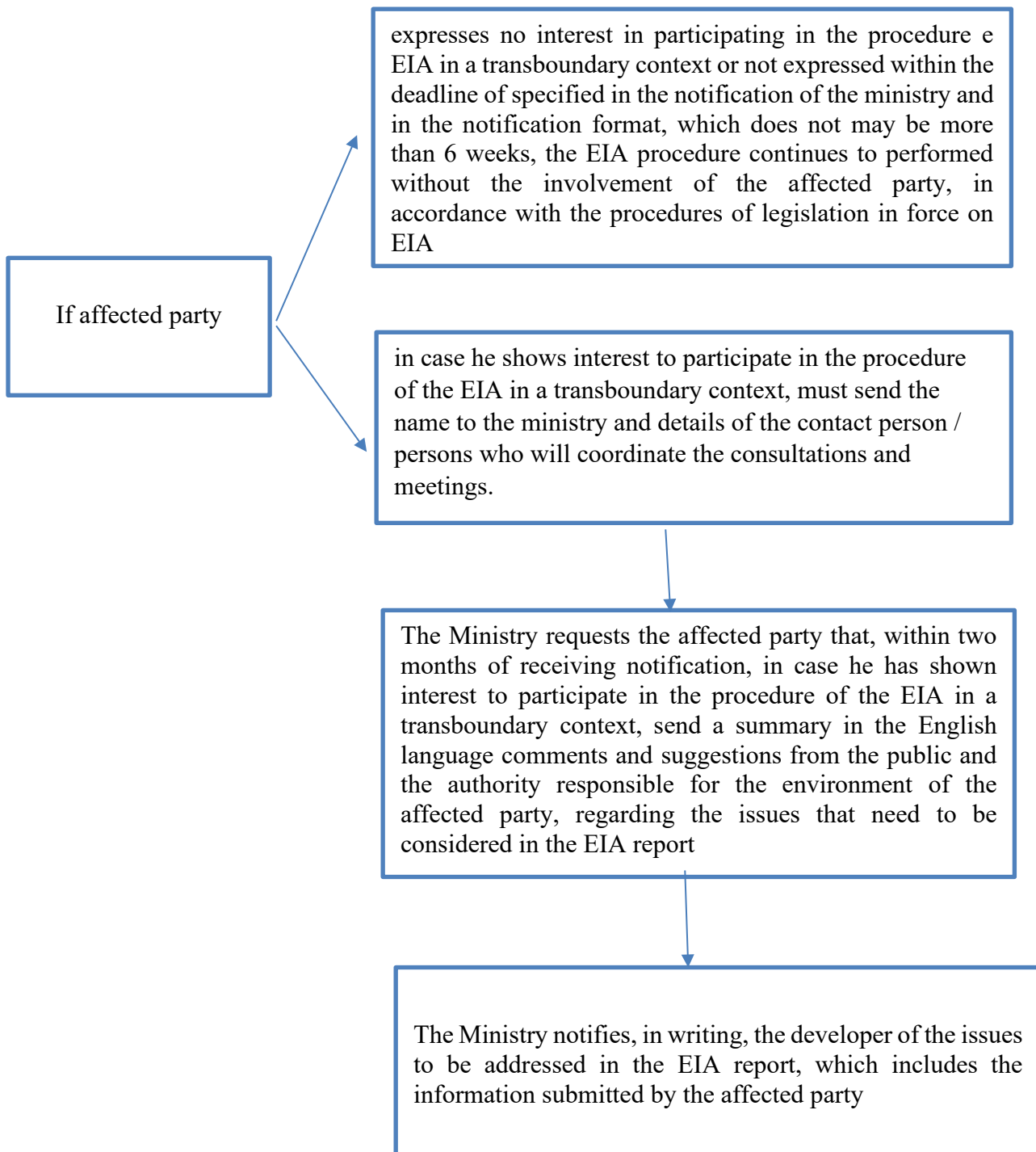
NOTICE FROM THE MINISTRY OF THE AFFECTED PARTY

Ministry, within 20 working days from receiving the notification format and accompanying documentation, forward the internship to the Ministry of Foreign Affairs of the Republic of Albania to notify the affected party of the proposed project is subject to the EIA process in transboundary context, and invites him to participate in the relevant procedure. Notification is accompanied by the notification format of the neighboring state and the documentation in English.

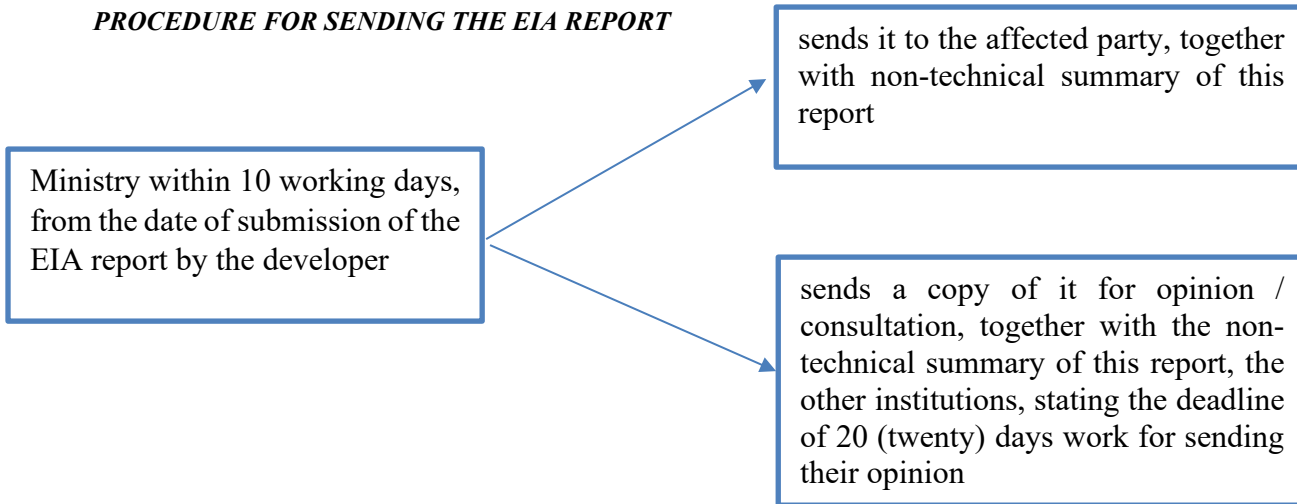
The Ministry of Foreign Affairs of the Republic of Albania forwards the internship to the affected party within 20 working days from the date of its receipt

Ministry, within 20 working days from the date of receipt of the format notification and relevant documentation, forward the practice for opinion / consultation to the following institutions;

- + Line ministries, which have responsibilities in the territorial plan, protection of public health, management of water resources, land agricultural, economic development, industrial and energy development, as well as the development of public infrastructure, depending on the projectizing the deadline of 20 working days for sending their opinion;
- + Other institutions that, depending on the type of project, are responsible for its permission / licensing or responsible for natural emergencies and civil;
- + National Environmental Agency and regional environmental agency of the district where the project is proposed to be implemented, which seek the opinion of local government unit / units.



PROCEDURE FOR SENDING THE EIA REPORT



The Ministry, in cooperation with the developer, organizes hearings with the public according to the procedures of the legislation in force for the information and inclusion of the public in environmental decision-making, where it also invites the affected party to take parts during these hearings. Costs in this case are covered by developer.

Consultations at this stage can not last longer that two months from the date of receipt of the EIA report by the affected party. Costs are covered by the developer.

Ministry after the submission of the final EIA report by the developer reviews this report within 30 (thirty) working days.

The Ministry, during the review phase undertakes consultations with the authority the responsibility of the affected party regarding the measures for minimization orelimination of potential transboundary impact from the proposed project.

MAKING THE FINAL DECISION

The Ministry, after review, drafts the environmental statement, which is signed by ministers. Send a copy of the statement to the affected party within 10 days from the date of its approval

If the affected party requests to be consulted for review of the statement environment, the ministry enters into consultations on the need to review it or not.

DOMESTIC PROCEDURE FOR ENVIRONMENTAL IMPACT ASSESSMENT

- ❖ Based on DCM no. 686, date 29.7.2015 “On the approval of the rules, responsibilities and deadlines for development of environmental impact assessment procedure (EIA) and procedure of transfer of declaration decision environmental” as amended, the development of the preliminary EIA procedure is as follows:
 - The developer who intends to implement a project, which is subject to the requirements of Article 8 of Law no.10440, dated 7.7.2011, "On Environmental Impact Assessment", as amended, since the initial stages of project planning (project idea), applies through the electronic system (e-albania) to the Ministry of Tourism and Environment (MTE) and the following documentation:
 - a) The technical report of the proposed project which contains some points defined in the DCM no. 686, date 29.7.2015.
 - b) Preliminary EIA report which contains some points defined in the DCM no.686, date 29.7.2015.
The EIA report must be electronically signed by a licensed natural / legal person to draft EIA report.
 - c) A copy of the invoice for the payment, as defined in the legislation in force.(respectively 30.000 ALL).
 - The ministry within 10 calendar days:
 - a) requests the completion of the missing documentation, giving the reason, if the documentation is not according to the requirements of the DCM. The deadline for completing the documentation by the developer is within 15 calendar days.
 - b) forwards the application to the National Environmental Agency (NEA) together with the suggestive opinion from the technical directorates of the ministry.The technical directorates are:
 - a) General Directorate of Environmental Policy and Development.
 - b) Directorate of Environmental Development Policies and Strategies.
 - c) Directorate of Environmental Development Programs.
 - NEA, within 10 calendar days from the date of the application:
 - a) requests the completion of the missing information, when it finds that it can not make a decision because the information submitted by the developer is not complete or clear, notifying the Ministry as well. The deadline for completing the information by the developer is within 45 calendar day.
 - b) send for opinion to Regional Environmental Agency (REA), in the region where the project is proposed to be implemented. REA responds within 6 working day.
 - NEA informs the public, according to the procedures of the legislation in force for information and public involvement in decision-making. (based on DCM no.247, date 30.04.2014)
 - NEA, within 30 calendar days from the date of the application, receives decision on the preliminary EIA or decide that the project should be subject to an in-depth procedure of EIA, forwards the decision to the ministry.
 - The decision is recorded in the NEA Environmental Impact Assessment Register, and published on its website.
 - The Ministry sends the decision to the developer.

- The maximum deadline for sending the decision to the developer is 45 calendar days from the application to the Ministry.

If the NEA decided that the project should be subject to an in- detailed proceure of EIA, the developer follow the steps of in-detailed EIA as following:

- The developer applies through electronic system with the following documents:
 - a) The technical report of the proposed project which contains some points defined in the DCM no. 686, date 29.7.2015
 - b) Information on the interaction with the project environment, which contains some points defined in the DCM no 686, date 29.7.2015.
- The ministry within 10 calendar days:
 - a) requests the completion of the missing documentation, giving the reason, if the documentation is not according to the requirements of the DCM. The deadline for completing the documentation by the developer is within 15 calendar days.
 - b) forwards the application to the National Environmental Agency (NEA) together with the suggestive opinion from the technical directorates of the ministry for the issues to be addressed in the in - depth report of EIA.
- NEA, within 10 calendar days from the date of the application:
 - a) requests the completion of the missing information, when it finds that it can not make a decision because the information submitted by the developer is not complete or clear, notifying the Ministry as well. The deadline for completing the information by the developer is within 45 calendar day.
 - b) send for opinion to Regional Environmental Agency (REA), in the region where the project is proposed to be implemented. REA responds within 6 working day.
- NEA within 45 calendar days notifies the developer of the issues to be addressed in the in-depth EIA report, informing the ministry as well.
- The developer, after receiving the notification from the NEA, drafts the report of EIA and organizes the hearing with the public, according to the procedures of the legislation in force for informing and involving the public in decision making.
- At the end of the hearing the developer drafts the In-Depth EIA Report, according to the criteria of Annex II, attached to DCM no.686, date 29.7.2015.
- To be provided with the environmental statement, the developer applies to the ministry with the following documents:
 - a) In-depth EIA report;
 - b) Non-technical summary of in-depth EIA report;
 - c) Final technical report;
 - d) Summary of consultations with the public and other stakeholders, conducted during drafting an in-depth EIA report.
 - e) A copy of the invoice for the payment, as defined in the legislation in force.(respectively 50.000 ALL).
- The ministry within 10 calendar days:
 - c) requests the completion of the missing documentation, giving the reason, if the documentation is not according to the requirements of the DCM. The deadline for completing the documentation by the developer is within 15 calendar days.

- d) forwards the application to the National Environmental Agency (NEA) together with the suggestive opinion from the technical directorates of the ministry.
- NEA, within 5 calendar days from the day of the application, publishes on the website non-technical summary of the In-Depth EIA Report, according to the procedures of legislation in force to inform and involve the public in decision-making.
 - NEA, within 30 calendar days from the date of the application, reviews the documentation and drafts the Environmental Statement, according to the criteria set out in Annex III, attached to the DCM no. 686, and sends it to the Minister.
 - The Minister, within 7 calendar days, issues the Environmental Statement or returns it statement for reassessment, with relevant arguments. The NEA sends the statement to the Minister reassessed, within 7 calendar days.
 - The Minister sends the Environmental Statement to the developer and a copy to the NEA. Statement Environmental is published on the websites of the Ministry and NEA.

The EIA procedure is performed through the electronic system e-albania

I.9.2. Does your country have special provisions or informal arrangements concerning transboundary environmental impact assessment procedures for joint cross-border projects, the construction of nuclear power plants and/or their lifetime extension?

<i>Joint cross-border projects</i>	<i>Construction of nuclear power plants</i>	<i>Lifetime extension of nuclear power plants</i>
(a) No <input checked="" type="checkbox"/>	(a) No <input checked="" type="checkbox"/>	(a) No <input checked="" type="checkbox"/>
(b) Yes	(b) Yes	(b) Yes
(i) Special provisions:	(i) Special provisions:	(i) Special provisions:
(ii) Informal arrangements:	(ii) Informal arrangements:	(ii) Informal arrangements:
Please explain:	Please explain:	Please explain:

Your comments:

Part two

Practical application during the period 2019–2021³

Please report on your country's practical experiences in applying the Convention (not your country's procedures, as described in part one), whether as a Party of origin or as an affected Party. The focus here is on identifying good practices as well as difficulties Parties have encountered in applying the Convention in practice. The goal is to enable Parties to share solutions. Please therefore provide appropriate examples highlighting application of the Convention and innovative approaches to improving its application.

Part two also focuses on general issues arising from the sixth review of implementation of the Convention (2016–2018)^a and issues that have been identified as priorities by Parties in the 2021–2023 workplan.^b It also addresses the goals of the Long-term strategy and the action plan for the Convention and the Protocol that requires that the reviews of implementation be adapted, in particular, “to maximize their usefulness as a source of information, highlight progress achieved, draw attention to areas that need improvement, disseminate best practice ...”.^c

^a United Nations publication, ECE/MP.EIA/32.

^b ECE/MP.EIA/30/Add.1–ECE/MP.EIA/SEA/13/Add.1, decision VIII/2–IV/2.

^c ECE/MP.EIA/30/Add.1–ECE/MP.EIA/SEA/13/Add.1, decision VIII/3–IV/3, annex, item II.A.9.

A. List of transboundary procedures initiated during the period 2019–2021

II.1. Please indicate, in the table provided in annex I to the present questionnaire, the total number of transboundary environmental impact assessment procedures initiated in the reporting period in relation to activities listed in appendix I to the Convention and in which your country was a Party of origin or affected Party. Please also indicate the number and types of transboundary procedures related to activities not listed in appendix I that your country implemented in the reporting period as a Party of origin or as an affected Party, if any.

Your comments:

II.2. Please list transboundary environmental impact assessment procedures referred to in question II.1. above using table 1 of annex II to the present questionnaire for procedures in which your country was a Party of origin and table (2) for procedures in which your country was an affected Party.

Your comments:

II.3. According to paragraph 10 of decision VIII/5 of the Meeting of the Parties the project lists referred to in question II.2 above and annex II to the present questionnaire are to be posted on the ECE website. Should your country object to this, however, please indicate “Yes” and explain, as relevant:

- (a) Yes (my country has an objection the compilation and posting of this information)

Please explain:

- (b) No (no objection)

³ Part II of this questionnaire is not considered to be a reporting obligation according to the Convention. Parties are encouraged to share examples of good practice, subject to their capabilities and the availability of relevant data.

Your comments:

B. Experience in the transboundary environmental impact assessment procedure during the period 2019–2021

Please share with other Parties your country's experience of using the Convention in practice. When responding to each of the questions below, please provide one or two practical examples and/or describe your country's general experience. You might also include examples of lessons learned in order to help others.

II.4. Please provide at least one example of the implementation of the Convention for an activity listed in appendix I to the Convention based on the template contained in annex III to the present questionnaire.

Your comments:

II.5. The Convention does not refer to the translation of environmental impact assessment documentation and to other language-related issues as important prerequisites for providing effective public participation of potentially affected Parties in a transboundary procedure. As an affected Party, please specify in which language(s) the environmental impact assessment documentation is made available for your own public to ensure effective public participation in transboundary procedures. (You may select several options, as needed):

- (a) In the official language(s) of the country Please specify:
- (b) Information in English is acceptable
- (c) Please list other languages that fulfil the requirements of effective public participation in your country, if applicable:

Your comments

Albania has not had cases of transboundary procedure as an affected Part for the reporting period.

II.6. What difficulties has your country experienced with regard to translation of environmental impact assessment documentation and interpretation during consultation meetings with authorities, or during events organized within the public participation procedure, if applicable, and what solutions has it found?

- (a) Experience with regard to translation of the environmental impact assessment documentation
 - (i) As a Party of origin: As a Party of origin it is the obligation of the developer to submit the documents translated in English.
 - (ii) As an affected Party: As an affected Party, it would be
- (b) Experience with regard to interpretation during consultation meetings with authorities
 - (i) As a Party of origin:
 - (ii) As an affected Party:
- (c) Experience with regard to interpretation during public participation-related events
 - (i) As a Party of origin:
 - (ii) As an affected Party:

Your comments:

During the reporting period Albania has not had cases of transboundary procedure as an affected party while as a Party of origin it has been the obligation of the developer of the proposed project to translate the information of the notification and the EIA Report in English. .

II.7. Which Party covers the cost of translation of environmental impact assessment documentation?

(a) As a Party of origin:

The developer of the project covers the cost of translation of environmental impact assessment documentation, including the Notification, the EIA Report, Technical Report, the affected Party's comments and suggestions as an output of the consultation with the groups of interest.

(b) As an affected Party:

It is the Party of origin responsibility to cover the cost of translation for the necessary EIA procedure documents.

(c) Other, please specify:

Your comments:

II.8. What parts of the environmental impact assessment documentation does your country usually translate/require to be translated?

(a) As a Party of origin:

The notification, environmental impact assessment report document and the technical report, and the affected Party's comments and suggestions as an output of the consultation with the groups of interest.

(b) As an affected Party:

All environmental impact assessment documents

Your comments:

II.9. Has the issue of translation been addressed in bilateral agreements between your country and other Parties?

(a) Yes Please explain how it has been addressed:

(b) No

Your comments:

Regarding to point 2, article 5 & point 4, article 8, of the "Multilateral agreement among the countries of south-eastern europe for implementation of the convention on environmental impact assessment in a transboundary context"

The Parties shall develop guidelines on the implementation of this Agreement, based on the following elements, amongst others: screening, notification, confirmation of participation, transmittal of information, preparation of environmental impact assessment documentation and its distribution, public participation, consultations between Parties, decision and transmittal of final decision, post-project analysis and translation.

The following documentation shall be translated by the proponent of the proposed activity into the official language of, and specified by, the affected Party:

(a) The description of the proposed activity and its purpose;

(b) The non-technical summary;

(c) The description of the potential transboundary environmental impact of the proposed activity and its alternatives and an estimation of its significance;

(d) The description of mitigation measures to keep adverse transboundary environmental impact to a minimum.

II.10. As a Party of origin, how and in which language do you usually provide environmental impact assessment documentation to the affected Party?

- (a) A full set of environmental impact assessment documentation is translated into English
- (b) Selected parts of the documentation are translated in English
Please specify which parts are translated and how they are selected
- (c) A full set of environmental impact assessment documentation is translated into the affected Party's language
- (d) Selected parts of environmental impact assessment documentation are translated into the language of the affected Party
Please specify which parts are translated and how they are selected
- (e) Other (please specify)

Your comments:

II. 11. Please indicate how the costs of interpretation during the events organized within the public participation procedure are covered:

- (a) By the developer: Please explain:
Proposing authority covers the cost of translation of environmental impact assessment documentation
- (b) By the Party of origin alone: Please explain
- (c) By the affected Party alone: Please explain
- (d) Shared by both Parties concerned upon an agreement:
- (e) Please provide details of related agreements and considerations based on which the Parties concerned agreed to share the translation costs:
- (f) Other (please specify)

Your comments:

II.12. Please describe any difficulties that your country has encountered during public participation procedures and consultations referred to in articles 2 (5), 3 (8), 4 (2) and 5 with regard to issues not covered above; for example, with regard to time frames for the duration of public participation and the consultation period and the need for additional information:

- (a) As a Party of origin:
- (i) Experience with public participation
 - (ii) Experience with consultations under article 5
- (b) As an affected Party:
- (i) Experience with public participation
 - (ii) Experience with consultations under article 5

Your comments:

During the reporting period Albania has not fully implemented any case of EIA in a transboundary context.

II.13. Has your country carried out post-project analyses in the period 2019–2021:

- (a) No
- (b) Yes

Please list the projects for which post-project analysis was carried out, describing challenges and lessons learned, if any:

Your comments:

II.14. Does your country have successful examples of organizing transboundary environmental impact assessment procedures in any of the categories of projects indicated below?

<i>Joint cross-border projects</i>	<i>Construction of nuclear power plants</i>	<i>Lifetime extension of nuclear power plants</i>
(a) No <input checked="" type="checkbox"/>	(a) No <input checked="" type="checkbox"/>	(a) No <input checked="" type="checkbox"/>
(b) Yes	(b) Yes	(b) Yes

If “Yes”, please describe what, in your opinion, made it successful, for example, means of cooperation (for example, contact points, joint bodies, bilateral agreements, special and common provisions, etc.), institutional arrangements, and how practical matters are dealt with (for example, translation, interpretation, transmission of documents, etc.):

- (a) For joint cross-border projects:
- (b) For construction of nuclear power plants:
- (c) For lifetime extension of nuclear power plants:

You may also wish to describe the example using annex III to the present questionnaire.

Your comments:

II.15. Please provide examples from your experience during the reporting period (either complete cases or elements such as notification, consultation and public participation) for the information of Parties that, in your view, constitute good practice or lessons learned on various topics:

Your comments:

The started procedure of EIA in a transboundary context with Albania as the Party of origin and Montenegro as the affected Party for the Ionian-Adriatic Pipeline Project, is in a paused process.

II.16. The Long-term strategy and the action plan for the Convention and the Protocol⁴ recommends enhancing the use of the networks of national focal points for administrative matters⁵ and points of contact for notification⁶ published on the website of the Convention. Does your country use the networks for contacting the affected Parties’ authorities?

- (a) Yes, my country makes use of the networks
- (b) My country is aware of the networks but is not using them

Please explain why, and describe the alternative ways used by your country to identify which competent authority of the affected Party to contact:

Your comments:

⁴ ECE/MP.EIA/2020/3–ECE/MP.EIA/SEA/2020/3, item II.A.7.

⁵ List of Focal Points for Administrative Matters, available at <https://unece.org/environment-policy/environmental-assessment/focal-points-administrative-matters>.

⁶ List of Points of Contact regarding Notification, available at <https://unece.org/environment-policy/environmental-assessment/points-contact-regarding-notification>.

II.17. Please specify what quality control measures your country, as a Party of origin, applies to ensure sufficient quality of environmental impact assessment documentation and, in particular, that said documentation contains, as a minimum, information described in appendix II to the Convention.

Your comments:

- Review of reports (from simple checklists to in-depth analysis by subject specialists);
- Accreditation of EA experts.

II.18. Please specify whether alternatives are assessed in the environmental impact assessment documentation and, if so, how. If possible, provide at least one example of such assessment, either as a Party of origin or as an affected Party, or both

Your comments:

A substantial deal of time was spent on evaluating the IAP route alternatives, development and defining the project preliminary design.

Development of the ESIA report required coordination and interaction between teams working on ESIA and Preliminary design on topics including the following:

- Identification the mitigation measures already built into the preliminary design.
- Quantification of some project aspects related to use of resources, construction organization relating along IAP route, land take, sources of emissions, discharges and wastes to feed into potential environmental impacts assessment process.
- Assessment of potential major hazards from natural gas transmission that could result in potential impacts to environment or community safety.
- Recognition of further mitigation measures that would be implemented during the operation phase of the pipeline. Interaction between team working on the ESIA report and team working on preliminary design has been focused on mitigation measures to be built into design and good construction practice.

Although this ESIA Report presents comprehensive information on the planned activities to be undertaken during the construction and operation of the IAP, as an on-going process the ESIA will further influence preparation of the preliminary design and indirectly operational phase and commissioning of the pipeline.

Important step toward achieving project's environmental and social goals could be realized if based on detailed interaction between design process, planning of construction and operation of the pipeline and involvement of environmental social experts.

A key element for the management of this interaction is to be contained within the Project Environmental and Social Action Plan (ESAP), which will be adjusted during ESIA procedure and amended by ongoing stakeholder consultations.

II.19. Please specify whether the following issues are considered in the environmental impact assessment documentation:

- (a) Biodiversity
- (b) Climate change
- (c) Circular economy
- (d) Sustainable Development Goal implementation
- (e) Smart and sustainable cities
- (f) Sustainable infrastructure
- (g) Renewables
- (h) Other issues not listed above (please specify):

Please provide at least one example of how one of the above-mentioned issues is addressed in the environmental impact assessment documentation:

You may wish to use the template in annex III to the questionnaire.

Your comments:

Answer given in details in the template in annex III of the questionnaire.

II.20. Please indicate whether, in your country's practice, cumulative impacts are taken into account during the assessment under the Convention and, if so, how:

- (a) No
- (b) Yes

If "Yes", please provide at least one example of how cumulative impacts are considered.

Your comments:

The cumulative impacts are taken into account and mentioned in the EIA Report through description of the **potential negative impacts** of project implementation during the construction and operation phases of the project. In addition to the negative effects on the physical environment, the following impacts are also described: biodiversity and habitats, impact of climate change on the project and impact of the project on the climate change, discharges into the environment and waste generation, cumulative negative impacts, potential social and health impacts and potential environmental major accidents and unplanned events. In the context of the IAP Project, **cumulative impacts** resulting from several or from the same source and affecting a specific environmental, social or cultural receptor were taken into consideration during the evaluation of identified impacts. Where appropriate, their combined effect on the receptor are defined. In addition, cumulative impacts that can potentially occur from the combined effects of the IAP Project with other presently ongoing or reasonably foreseeable future activities in the project area was also taken into consideration. The assessment of cumulative impacts was performed, in general terms, in a qualitative manner based on the existing information of the present or future activities taken into consideration and the judgment of the ESIA team.

II.21. Please indicate whether health issues are taken into account in your country during the assessment under the Convention in practice and, if so, how:

- (a) No
- (b) Yes

If "Yes", please provide at least one example of how health issues are taken into account

Your comments:

During the EIA procedure the **potential negative impacts** of project implementation during the construction and operation phases of the project are assessed. In addition to the negative effects on the physical environment, the following impacts are also described: biodiversity and habitats, impact of climate change on the project and impact of the project on the climate change, discharges into the environment and waste generation, cumulative negative impacts, potential social and health impacts and potential environmental major accidents and unplanned events, which are later documented in the EIA Report in a detailed way.

II.22. Please indicate whether environmental impact assessments implemented in your country can be considered to have contributed to the implementation of Sustainable Development Goals and their specific targets:

- (a) No, there is no evidence that environmental impact assessments contribute to the attainment of Sustainable Development Goals
- (b) Yes, (certain) environmental impact assessments significantly contributed to the attainment of Sustainable Development Goals
- (c) Yes, (certain) environmental impact assessments contributed somewhat to the attainment of Sustainable Development Goals

If “Yes”, please list the most relevant Sustainable Development Goals⁷ (and their targets) and provide [at least one] example[s] of how environmental impact assessment has contributed to their attainment.

Your comments:

⁷ In 2017, the Meetings of the Parties acknowledged that the Convention and, in particular the Protocol, contribute to the achievement of the Sustainable Development Goals (ECE/MP.EIA/23/Add.1–ECE/MP.EIA/SEA/7/Add.1, decision VII/7–III/6, Minsk Declaration, para. 7). Selected examples of Sustainable Development Goal targets that strategic environmental assessment could help to implement include the following (see informal document to the fifth meeting of the Working Group (Geneva, 11–15 April 2016):

- (a) Sustainable Development Goal 3 – Ensure healthy lives and promote well-being for all at all ages (targets 3.9 and 3.d);
- (b) Sustainable Development Goal 6 – Ensure availability and sustainable management of water and sanitation for all (targets 6.3, 6.5–6.6 and 6.a–6.b);
- (c) Sustainable Development Goal 7 – Ensure access to affordable, reliable, sustainable and modern energy for all (targets 7.2 and 7.a);
- (d) Sustainable Development Goal 8 – Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all (target 8.4);
- (e) Sustainable Development Goal 9 – Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation (targets 9.1 and 9.4);
- (f) Sustainable Development Goal 11 – Make cities and human settlements inclusive, safe, resilient and sustainable (targets 11.3–11.4, 11.6 and 11.a–11.b);
- (g) Sustainable Development Goal 12 – Ensure sustainable consumption and production patterns (targets 12.2 and 12.4–12.5);
- (h) Sustainable Development Goal 13 – Take urgent action to combat climate change and its impacts (targets 13.1–13.3);
- (i) Sustainable Development Goal 14 – Conserve and sustainably use the oceans, seas and marine resources for sustainable development (target 14.1);
- (j) Sustainable Development Goal 15 – Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss (targets 15.1 and 15.4);
- (k) Sustainable Development Goal 16 – Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels (targets 16.6–16.7 and 16.10);
- (l) Sustainable Development Goal 17 – Strengthen the means of implementation and revitalize the global partnership for sustainable development (targets 17.13 and 17.16–17.17).

For more details, see ECE/MP.EIA/WG.2/2016/5/INF.16, available at http://staging2.unece.org.net4all.ch/fileadmin/DAM/env/eia/documents/WG2.5_April2016/Informal_document_16_ecc.mp.eia.wg.2.2016.INF.16__Sustainable_Development_Goal_Mapping.pdf.

C. Experience in using the available guidance documents in 2019–2021

II.23. Have you used in practice the following guidance, adopted by the Meeting of the Parties and available online?

<i>Title of guidance document</i>	<i>Use of guidance</i>	<i>Your comments and/or suggestions for improving or supplementing the guidance</i>
Guidance on Public Participation in Environmental Impact Assessment in a Transboundary Context (ECE/MP.EIA/7)	I use it <input checked="" type="checkbox"/> I do not use it Please specify: (i) I am not aware of the guidance (ii) The guidance is not relevant (iii) The guidance is outdated and needs revision	
Guidance on subregional cooperation (ECE/MP.EIA/6, annex V, appendix)	I use it <input checked="" type="checkbox"/> I do not use it Please specify: (i) I am not aware of the guidance (ii) The guidance is not relevant (iii) The guidance is outdated and needs revision	
Guidance on the Practical Application of the Espoo Convention (ECE/MP.EIA/8)	I use it <input checked="" type="checkbox"/> I do not use it Please specify: (i) I am not aware of the guidance (ii) The guidance is not relevant (iii) The guidance is outdated and needs revision	
Guidance on the applicability of the Convention to the lifetime extension of nuclear power plants (ECE/MP.EIA/2020/9)	I use it I do not use it <input checked="" type="checkbox"/> Please specify: (i) I am not aware of the guidance (ii) The guidance is not relevant <input checked="" type="checkbox"/> (iii) The guidance is outdated and needs revision	

<i>Title of guidance document</i>	<i>Use of guidance</i>	<i>Your comments and/or suggestions for improving or supplementing the guidance</i>
Good Practice	I use it	
Recommendations on the Application of the Convention to Nuclear Energy-related Activities (ECE/MP.EIA/24)	I do not use it <input type="checkbox"/> Please specify: (i) I am not aware of the document (ii) The document is not relevant <input type="checkbox"/> (iii) The document is outdated and needs revision	
Revised Guidelines on Environmental Impact Assessment in a Transboundary Context for Central Asian Countries (ECE/MP.EIA/28)	I use it I do not use it <input type="checkbox"/> Please specify: (i) I am not aware of the document (ii) The document is not relevant <input type="checkbox"/> (iii) The document is outdated and needs revision	
Guidance on Notification according to the Espoo Convention (ECE/MP.EIA/12)	I use it <input type="checkbox"/> I do not use it Please specify: (i) I am not aware of the guidance (ii) The guidance is not relevant (iii) The guidance is outdated and needs revision	

Your comments:

D. Clarity of the Convention

II.24. Has your country had difficulties implementing the procedures defined in the Convention, either as a Party of origin or as an affected Party, because of a lack of clarity of the provisions?

No

Yes Please indicate which provisions and how they are unclear:

Regarding the EIA Report as a document to be submitted to the affected Party, in one occasion the affected Party has refused to consider it because it was furnished with the Environmental and Social Impact Assessment (ESIA) Report, which included at least as a minimum, the information described in Appendix II.

Your comments:

Never got an answer or guidance when this issue was addressed to the Secretariat of the Implementation Committee.

E. Contributions to the funding of the workplans

II.25. Please indicate whether the information regarding contributions to the trust fund was already provided by your country in the responses to the questionnaire concerning the Protocol and covered both the Convention and the Protocol:

(i) Yes

(ii) No

If “No”, please provide the information regarding the contributions to the trust fund below.

Your comments:

II.26. Through paragraph 4 of decision VII/4–III/4, applicable for the period 2017–2020, the Meetings of the Parties to the Convention and the Protocol jointly “urge[d] all Parties to contribute to ensuring sustainable funding of activities and an equitable and proportionate sharing of the financial burden among the Parties”.⁸ For the period 2021–2023, by paragraph 1 of decision VIII/1–IV/1, regarding funding of the adopted workplans, the Meeting of the Parties decided that “all the Parties have a duty to contribute to the sharing of the costs that are not covered by the United Nations regular budget”.⁹

(a) Please indicate whether your Government contributed to the funding of the workplans during the reporting period, indicating also the currency and the amount of the contribution:

(i) My Government made a multi-year contribution for the period 2017–2020

Please indicate when the contribution was provided (year), amount and currency:
2017, US \$ 2, 000

(ii) Individual contribution in 2019

Yes Amount and currency:

No Please explain the reason:

(iii) Individual contribution in 2020:

Yes Amount and currency:

No Please explain the reason:

(iv) Individual contribution in 2021:

Yes Amount and currency:

No Please explain the reason:

(v) Please indicate any plans of your country to contribute for the period 2021–2023.

Albania has already made its contribution during 2021 for the period 2021-2023 in the amount of US \$ 2,000.

(b) Did your country make in-kind contributions in the reporting period?

Yes Please describe how:

No Please explain the reason

⁸ ECE/MP.EIA/23/Add.1–ECE/MP.EIA/SEA/7/Add.1.

⁹ ECE/MP.EIA/30/Add.1–ECE/MP.EIA/SEA/13/Add.1.

F. Suggested improvements to the report

II.27. Please provide further suggestions (preferably specific drafting proposals including wording suggestions) for how this report could be improved.

Annex I

Number of transboundary procedures initiated by your country, as a Party of origin, and participated in, as an affected Party, in the reporting period

<i>Activities listed in appendix I to the Convention</i>	<i>No. of procedures as a PoO^a</i>	<i>No. of procedures as an AP^b</i>
1. Crude oil refineries (excluding undertakings manufacturing only lubricants from crude oil) and installations for the gasification and liquefaction of 500 metric tons or more of coal or bituminous shale per day.		
2. (a) Thermal power stations and other combustion installations with a heat output of 300 megawatts or more;		
2. (b) Nuclear power stations and other nuclear reactors, including the dismantling or decommissioning of such power stations or reactors 1/ (except research installations for the production and conversion of fissionable and fertile materials, whose maximum power does not exceed 1 kilowatt continuous thermal load).		
3. (a) Installations for the reprocessing of irradiated nuclear fuel;		
3. (b) Installations designed:		
- For the production or enrichment of nuclear fuel;		
- For the processing of irradiated nuclear fuel or high-level radioactive waste;		
- For the final disposal of irradiated nuclear fuel;		
- Solely for the final disposal of radioactive waste; or		
- Solely for the storage (planned for more than 10 years) of irradiated nuclear fuels or radioactive waste in a different site than the production site.		
4. Major installations for the initial smelting of cast iron and steel and for the production of non-ferrous metals.		
5. Installations for the extraction of asbestos and for the processing and transformation of asbestos and products containing asbestos: for asbestos-cement products, with an annual production of more than 20,000 metric tons finished product; for friction material, with an annual production of more than 50 metric tons finished product; and for other asbestos utilization of more than 200 metric tons per year.		
6. Integrated chemical installations.		

Activities listed in appendix I to the Convention

*No. of
procedures
as a PoO^a* *No. of
procedures
as an AP^b*

7. (a) Construction of motorways, express roads 2/ and lines for long-distance railway traffic and of airports 3/ with a basic runway length of 2,100 metres or more;
7. (b) Construction of a new road of four or more lanes, or realignment and/or widening of an existing road of two lanes or less so as to provide four or more lanes, where such new road, or realigned and/or widened section of road, would be 10 km or more in a continuous length.
8. Large-diameter pipelines for the transport of oil, gas or chemicals. █
9. Trading ports and also inland waterways and ports for inland-waterway traffic which permit the passage of vessels of over 1,350 metric tons.
- 10.(a) Waste-disposal installations for the incineration, chemical treatment or landfill of toxic and dangerous wastes;
- 10.(b) Waste-disposal installations for the incineration or chemical treatment of non-hazardous waste with a capacity exceeding 100 metric tons per day.
11. Large dams and reservoirs.
12. Groundwater abstraction activities or artificial groundwater recharge schemes where the annual volume of water to be abstracted or recharged amounts to 10 million cubic metres or more.
13. Pulp, paper and board manufacturing of 200 air-dried metric tons or more per day.
14. Major quarries, mining, on-site extraction and processing of metal ores or coal.
15. Offshore hydrocarbon production. Extraction of petroleum and natural gas for commercial purposes where the amount extracted exceeds 500 metric tons/day in the case of petroleum and 500 000 cubic metres/day in the case of gas.
16. Major storage facilities for petroleum, petrochemical and chemical products.
17. Deforestation of large areas.
- 18.(a) Works for the transfer of water resources between river basins where this transfer aims at preventing possible shortages of water and where the amount of water transferred exceeds 100 million cubic metres/year (transfers of piped drinking water are excluded);
- 18.(b) In all other cases, works for the transfer of water resources between river basins where the multi-annual average flow of the basin of abstraction exceeds 2 000 million cubic metres/year and where the amount of water transferred exceeds 5 per cent of this flow (transfers of piped drinking water are excluded).
19. Wastewater treatment plants with a capacity exceeding 150 000 population equivalent.

<i>Activities listed in appendix I to the Convention</i>		<i>No. of procedures as a PoO^a</i>	<i>No. of procedures as an AP^b</i>
20.	Installations for the intensive rearing of poultry or pigs with more than: - 85 000 places for broilers; - 60 000 places for hens; - 3 000 places for production pigs (over 30 kg); - 900 places for sows.		
21.	Construction of overhead electrical power lines with a voltage of 220 kV or more and a length of more than 15 km.		
22.	Major installations for the harnessing of wind power for energy production (wind farms).		
<i>Activities not listed in appendix I for which your country implemented a transboundary environmental impact assessment procedure in the reporting period</i>			
1.	[add the activity]		
2.	...		

^a Party of origin.

^b Affected Party.

Annex II

A detailed list of the transboundary procedures in which your party participated as a Party of origin (table 1) and as an affected Party (table 2) in the reporting period

Table 1

Transboundary environmental impact assessment procedures as a Party of origin

Please find below an example of expected types of answers in each column and feel free to add additional rows as needed

Please use as checkbox for referring to the progress and indicate the date, if available

<i>Project name</i>	<i>Starting date (date of the notification sent)</i>	<i>Affected Party/ Parties</i>	<i>Timing of the notification</i>	<i>Submission of the environmental report</i>	<i>Transboundary consultations between authorities concerned, if any</i>	<i>Public participation, (please also indicate the means, for example, written comments, events organized, etc.) if any</i>	<i>Final decision (date of issue, if information is available)</i>
1. The Ionian-Adriatic Pipeline (IAP) Project	Date: 25 November 2021	Party Montenegro	State of the procedure (select as appropriate) screening/scoping/reviewing the environmental impact assessment documentation:	Date: 15 December 2021	Date from: Not yet started. to:	Date from: Not yet started. to:	Date: Not yet issued
4.							
...							

Table 2
Transboundary environmental impact assessment procedures as an affected Party

Please find below an example of expected types of answers in each column, and feel free to add additional rows as needed

<i>Please use as checkbox for referring to the progress and indicate the date if available</i>								
<i>Project name</i>	<i>Starting date (When was the notification received and at which stage of the procedure?) – Date of the response to the notification</i>	<i>Party of origin</i>	<i>When were the documents on screening and scoping received, if available?</i>	<i>Comments to the environmental report (date when comments were provided)</i>	<i>Transboundary consultations between authorities concerned, if any (time frame)</i>	<i>Public participation, indicating the means: for example, written comments, events organized,) if any</i>	<i>Final decision (date when final decision was received)</i>	
	Notification received: date	Party A	Date	Date	Time from: to:	Yes/No Written comments: time interval Event(s) organized: date(s)	Date	
1. For example, Project A	Response sent: date Stage of the procedure (select as appropriate) -screening -scoping -reviewing the environmental impact assessment documentation							
2. Project B						
3.								
4.								
...								

Annex III

Template to describe an example of application of a transboundary procedure in accordance with the Convention in the reporting period

Please provide at least one example of application of a transboundary environmental impact assessment procedure in accordance with the Convention in the reporting period using the template and reflecting on the priorities of the 2021–2023 workplan and the long-term strategy. Should you wish to share more examples, please copy the template, as needed.

I. GENERAL INFORMATION

Please provide the following general information about the selected example:

1. Title of the transboundary procedure: The Ionian-Adriatic Pipeline (IAP) Project
2. Party's role in the procedure and a list and roles of other Parties involved

Party of origin: <input type="checkbox"/> Albania	Affected Party: <input type="checkbox"/> Montenegro
Affected Party/ies: (please list)	Party/ies of origin: (please list)

3. Duration and period of implementation:
4. Stage(s)/step(s) of the procedure presented in this example:

The entire procedure

Notification (art. 3): 25 November 2021

Preparation of the environmental impact assessment documentation (art. 4): 15 December 2021 it was submitted via e-mail to the affected Party the ESIA Report.

Consultations of the basis of the environmental impact assessment documentation (art. 5 (a)–(c))

Final decision (art. 6):

Post-project analysis (art. 7, if applicable)

Other, please specify:

II. BACKGROUND

Please provide a short description of the activity, the context of its development and general information about the environmental impact assessment procedure

Ionian-Adriatic Pipeline (IAP) is a multinational project, intended to connect the natural gas transmission systems of Croatia, Montenegro and Albania, with the Trans-Adriatic Pipeline (TAP) by establishing a new supply route for natural gas from the Middle East and Caspian Region, northward, along the Adriatic coast.

Albania as the Party of Origin being in a more advanced status of the project has notified Montenegro as the affected Party in 25-th of November, and on 15-th of December, on Montenegro's request has submitted the ESIA Report.

III. PROCEDURE UNDER THE CONVENTION AND ELEMENTS OF GOOD PRACTICE

Please describe, in more detail, using the subsections below, the procedural step(s) considered to represent good practice and then explain why that is.

1. **Notification** (art. 3):
2. **Preparation of the environmental impact assessment documentation** (art. 4):

In addition to the description above regarding the preparation of the environmental impact assessment documentation, please indicate the following:

(a) What alternatives were assessed and presented in the environmental impact assessment documentation?

- (i) At what level of detail were the alternatives described?
- (ii) What methods and/or assessment grids were used for the selection of the most reasonable alternative?

(b) Whether the following issues were covered in the environmental impact assessment documentation and, if so, how:

- (i) **Biodiversity** Is covered and analyzed when describing the environment and social components in the project area that are likely to be affected by the project implementation.
- (ii) **Climate change** Covered in both point of views: Potential negative impacts of the project and Potential positive impacts.
- (iii) **Circular economy** When analyzing and describing the project area, it is identified that the Solid Waste Strategy and its plan show the way towards a circular economy and are aligned with the EU Waste Framework Directive.
- (iv) **Sustainable Development Goal implementation**
- (v) **Smart and sustainable cities**
- (vi) **Sustainable infrastructure**
- (vii) **Renewables**
- (viii) **Other issues not listed above:**

3. **Consultations on the basis of the environmental impact assessment documentation** (art. 5 (a)–(c)): Not yet applied

4. **Final decision** (art. 6): Not yet applied

5. **Post-project analysis** (art. 7, if applicable): Not yet applied

During the reporting period Albania has not applied a full procedure of a transboundary procedure in accordance with the Convention.

IV. LESSONS LEARNED AND ADVICE TO OTHER PARTIES:

1. Please indicate:

Challenges in carrying out the procedure, if any, and how they were tackled

Lessons learned and advice to other Parties:

2. As relevant, please also refer to the contribution of the above application of environmental impact assessment procedure towards the attainment of Sustainable Development Goals¹ or climate objectives:

V. ANY OTHER INFORMATION NOT INCLUDED ABOVE THAT YOU MAY WISH TO SHARE:

¹ In 2017, the Meetings of the Parties acknowledged that the Convention and in particular the Protocol contribute to the achievement of the Sustainable Development Goals (ECE/MP.EIA/23/Add.1–ECE/MP.EIA/SEA/7/Add.1, decision VII/7–III/6, Minsk Declaration, para. 7). Selected examples of Sustainable Development Goal targets that strategic environmental assessment could help to implement include the following (see informal document to the fifth meeting of the Working Group (Geneva, 11–15 April 2016):

- (a) Sustainable Development Goal 3 – Ensure healthy lives and promote well-being for all at all ages (targets 3.9 and 3.d);
- (b) Sustainable Development Goal 6 – Ensure availability and sustainable management of water and sanitation for all (targets 6.3, 6.5–6.6 and 6.a–6.b);
- (c) Sustainable Development Goal 7 – Ensure access to affordable, reliable, sustainable and modern energy for all (targets 7.2 and 7.a);
- (d) Sustainable Development Goal 8 – Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all (target 8.4);
- (e) Sustainable Development Goal 9 – Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation (targets 9.1 and 9.4);
- (f) Sustainable Development Goal 11 – Make cities and human settlements inclusive, safe, resilient and sustainable (targets 11.3–11.4, 11.6 and 11.a–11.b);
- (g) Sustainable Development Goal 12 – Ensure sustainable consumption and production patterns (targets 12.2 and 12.4–12.5);
- (h) Sustainable Development Goal 13 – Take urgent action to combat climate change and its impacts (targets 13.1–13.3);
- (i) Sustainable Development Goal 14 – Conserve and sustainably use the oceans, seas and marine resources for sustainable development (target 14.1);
- (j) Sustainable Development Goal 15 – Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss (targets 15.1 and 15.4);
- (k) Sustainable Development Goal 16 – Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels (targets 16.6–16.7 and 16.10);
- (l) Sustainable Development Goal 17 – Strengthen the means of implementation and revitalize the global partnership for sustainable development (targets 17.13 and 17.16–17.17).

For more details, see ECE/MP.EIA/WG.2/2016/5/INF.16, available at http://staging2.unece.org.net4all.ch/fileadmin/DAM/env/eia/documents/WG2.5_April2016/Informal_document_16_ece.mp.eia.wg.2.2016.INF.16_Sustainable_Development_Goal_Mapping.pdf.