Questionnaire for the report ALBANIA on the implementation of the Protocol on Strategic Environmental Assessment in the period 2019–2021

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Part one

Current legal and administrative framework for the implementation of the Protocol

In this part, please describe the legal, administrative and other measures taken in your country to implement the provisions of the Protocol. This part should describe the framework for your country's implementation, and not its experience in the application of, the Protocol.

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

Article 3 General provisions

- I.3. According to article 3 (1) of the Protocol: "Each Party shall take the necessary legislative, regulatory and other appropriate measures to implement the provisions of this Protocol within a clear, transparent framework." Please provide the main legislative, regulatory and other measures your country has adopted to implement the Protocol (art. 3, (1)) (more than one option may apply):
- (a) Law on strategic environmental assessment (please provide exact title/reference number/year/access link, if any):

Law no.9424, dated 6.10.2005 "On ratification of the "strategic environmental assessment protocol"

Law no. 91/2013 "On Strategic Environmental Assessment".

- (b) Strategic environmental assessment provisions are transposed into another law/other laws (please specify, providing title/reference number/year/access link, if any):
- (c) Regulation (please indicate title/reference number/year/access link, if any):

Decision nr.620, dated 7.7.2015 "On the approval of detailed rules, responsibilities and procedures for Strategic Environmental Assessment in the transboundary context"

- (d) Administrative rule (please indicate title/reference number/year/access link, if any):
- (e) Other (please specify):

Decision no. 219, dated 11.03.2015 "Rules and procedures for consultation with public and stakeholders, and public hearing during the Strategic Environmental Process"

Decision no. 507, dated 10.6.2015 "On the approval of the detailed list of plans or programs with negative consequences in the environment, that will be subject to the strategic environmental assessment process"

Please explain:

Article 4 Field of application concerning plans and programmes

I.4.1 Which plans and programmes referred to in article 4 (2)–(4) of the Protocol are set out in your country's legislation?

List the types of plans and programmes that require strategic environmental assessment in your country's legislation and provide references to the relevant legislation:

Plans and programmes prepared for:

Agriculture

Forestry

Fisheries

Energy

Industry including mining

Transport

Regional development

Waste management

Water management

Telecommunications

Tourism

Town and country planning

Land use

Other (including those falling under article 4 (3)–(4)), please list

Please explain:

All activities referred above are covered by national legislation.

Article 2 of Law no. 91/2013 "On Strategic Environmental Assessment". defines the scope of application of this law as follows:

- 1. To strategic environmental assessment is subject:
- a) drafting of all plans and programs for agriculture, forestry, fisheries, energy, industry, mineral industry, transport, waste management, water management, telecommunication, tourism, national and local plans on the rural and urban territory planning, including also the landscape protection, land use, which set the approval framework, in the future, of the projects listed under Annexes 1 and 2 of law no 10 440, date 7.7.2011 "On environmental impact assessment";

In decision no. 507, dated 10.6.2015, has been approved detailed list of plans or programs with negative consequences in the environment, which will be subject to the process of strategic environmental assessment (Decision no. 507, dated 10.6.2015 "On the approval of the detailed list of plans or programs with negative consequences in the environment, that will be subject to the strategic environmental assessment process")

I.4.2. Explain how you define whether a plan or programme "set the framework for future development consent" (art. 4 (2)):

On a case-by-case basis

I.4.3. Explain how the term "plans and programmes ... which determine the use of small areas at local level" (art. 4 (4)) is interpreted in your country's legislation:

According to the definition defined in law 91/2013:

"Plans and programs" are plans and programs, the drafting of which is required by legal provisions, regulatory and administrative, prepared by state planning authorities at national level, inter-local or local and that before their implementation must be approved through a procedure defined legal.

I.4.4. Explain how you identify in your legislation a "minor modification" to a plan or programme (art. 4 (4)):

On a case – by - case examination always in consultation with the other authorities and public concerned.

Article 5 Screening

I.5.1 According to article 5 (1): "Each Party shall determine whether plans and programmes referred to in article 4, paragraphs 3 and 4, are likely to have significant environmental, including health, effects either through a case-by-case examination or by specifying types of plans and programmes or by combining both approaches."

How do you determine which plans and programmes referred to in article 4 (3)–(4) should be subject to a strategic environmental assessment? Please specify:

- (a) On a case-by-case basis
- (b) By specifying types of plans and programmes
- (c) By using a combination of (a) and (b) above
- (d) Other (please specify):

Please explain:

Depending on the type of plan or program if they are part of the list of plans or programs with negative consequences on the environment defined in decision no. 507, dated 10.06.2015 are subject to the strategic environmental assessment procedure.

I.5.2. According to article 5 (2), each Party shall ensure that the environmental and health authorities are consulted during screening.

Please explain whether your legislation provides for consultation with environmental and health authorities at the screening stage and, if so, how.

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

Please explain:

According to point 1, article 8, of law 91/2013 "On Strategic Environmental Assessment":

1. Proposing authority, when undertakes the drafting, review or modification of a plan or program, shall notify in advance the ministry responsible for the environment.

According to point 1, article 9, of law 91/2013 "On Strategic Environmental Assessment":

- 1. Proposing authority, prior to the drafting of SEA report, 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:
- *a) institutions of public health protection;*
- b) local government units;
- c) institutions protecting agricultural land;
- c) environmental organizations (NGOs) active in the field of environmental protection and registered under the legislation in force;
- d) other institutions identified with liability in the proposal (ministries etc.).

I.5.3. According to article 5 (3): "To the extent appropriate, each Party shall endeavour to provide opportunities for the participation of the public concerned in the screening of plans and programmes under this article."

Please indicate whether you provide opportunities for the public concerned to participate in screening of plans and programmes in your legislation and, if so, how.

No

Yes

Please specify (more than one option may apply):

- (a) By sending written comments to the relevant authority
- (b) By completing a questionnaire
- (c) By taking part in a public hearing
- (d) Other (please specify):

Please explain:

Based on Decision no. 219, dated 11.03.2015 "Rules and procedures for consultation with public and stakeholders, and public hearing during the Strategic Environmental Process":

For stakeholder consultation on issues to be addressed in the SEA report, the proposing authority sends a written and electronic notice to the stakeholders defined in point 1 of article 9 of law no. 91/2013, "On strategic environmental assessment", which determines the date, time and place of the meeting.

Stakeholders respond to the proposing authority within 10 (ten) days from the date of the meeting.

Article 6 Scoping

I.6.1 According to article 6 (1): "Each Party shall establish arrangements for the determination of the relevant information to be included in the environmental report in accordance with article 7, paragraph 2."

Please explain how you determine the relevant information to be included in the environmental report.

Appendix II of Decision nr.620, dated 7.7.2015 "On the approval of detailed rules, responsibilities and procedures for Strategic Environmental Assessment in the transboundary context", determines information to contain the SEA report

I.6.2. According to article 6(2), each Party shall ensure that the environmental and health authorities are consulted during scoping.

Please explain whether your country's legislation provides for consultation with environmental and health authorities at the scoping stage and, if so, how.

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

Please explain:

According to point 1, article 9, of law 91/2013 "On Strategic Environmental Assessment":

- 1. Proposing authority, prior to the drafting of SEA report, 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:
- *a) institutions of public health protection;*
- b) local government units;
- c) institutions protecting agricultural land;
- c) environmental organizations (NGOs) active in the field of environmental protection and registered under the legislation in force;
- d) other institutions identified with liability in the proposal (ministries etc.).

I.6.3 According to article 6 (3): "To the extent appropriate, each Party shall endeavour to provide opportunities for the participation of the public concerned when determining the relevant information to be included in the environmental report."

Please indicate whether your country's legislation provides opportunities for the public concerned to participate in scoping of plans and programmes and, if so, how.

No

Yes 🔃

Please specify (more than one option may apply):

- (a) By sending written comments to the relevant authority
- (b) By completing a questionnaire
- (c) By taking part in a public hearing
- (d) Other (please specify):

Please explain:

Based on Decision no. 219, dated 11.03.2015 "Rules and procedures for consultation with public and stakeholders, and public hearing during the Strategic Environmental Process":

For stakeholder consultation on issues to be addressed in the SEA report, the proposing authority sends a written and electronic notice to the stakeholders defined in point 1 of article 9 of law no. 91/2013, "On strategic environmental assessment", which determines the date, time and place of the meeting.

Stakeholders respond to the proposing authority within 10 (ten) days from the date of the meeting.

Article 7 Environmental report

I.7.1. According to article 7 (2): "The environmental report shall, in accordance with the determination under article 6, identify, describe and evaluate the likely significant environmental, including health, effects of implementing the plan or programme and its reasonable alternatives."

How do you determine "reasonable alternatives"? Please specify (more than one option may apply):

- (a) On a case-by-case basis
- (b) As defined in the national legislation (please specify):
- (c) By using a combination of (a) and (b) above
- (d) Other (please specify):

Please explain:

During the SEA procedure the **potential negative impacts** of project implementation during the construction and operation phases of the plan or programme 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 SEA Report in a detailed way. The considered alternatives are also described alongside with the "Zero alternative"/non planning alternative with the specific reasons and arguments.

I.7.2. According to article 7 (3): "Each Party shall ensure that environmental reports are of sufficient quality to meet the requirements of this Protocol."

How do you ensure that quality of the reports is sufficient? Please specify:

- (a) The competent authority checks the information provided and ensures that it includes all information required under annex IV as a minimum before making it available for comments
- (b) By using quality checklists
- (c) There are no specific procedures or mechanisms
- (d) Other (please specify):

Please explain:

The competent authority (ministry responsible for the environment) controls the information submitted by the proposing authority, ensuring that all information is presented in the appropriate format according to the legislation in force.

The report is then sent for comments to the technical directorates of the ministry.

The report is also published on the official website of the ministry, where the public and interest groups can forward their comments.

Article 8 Public participation

I.8.1. According to article 8 (2): "Each Party, using electronic media or other appropriate means, shall ensure the timely public availability of the draft plan or programme and the environmental report."

How do you notify the public and make the draft plans and programmes and the environmental report available? Please specify (more than one option may apply):

- (a) Through public notices in printed media
- (b) Through electronic media
- (c) Placing copies in public offices for the public
- (d) Through other means:

Please explain:

According to point 1, of chapter III, of the Decision no. 219, dated 11.03.2015 "Rules and procedures for consultation with public and stakeholders, and public hearing during the Strategic Environmental Process", the proposing authority, after drafting the preliminary SEA report, shall publish it for at least 30 (thirty) days on the official website.

I.8.2. According to article 8 (3): "Each Party shall ensure that the public concerned, including relevant non-governmental organizations, is identified for the purposes of paragraphs 1 and 4."

How do you identify the public concerned? Please specify (more than one option may apply):

- (a) Based on the geographical location of the plans and programmes
- (b) Based on the environmental effects (significance, extent, accumulation, etc.) of the plans and programmes
- (c) By making the information available to all members of the public and letting them identify themselves as the public concerned
- (d) By other means:

Please explain:

Proposing authority, prior to the drafting of SEA report, 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:

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

The notification is made in writing and electronically (e-mail), also the notification for the public hearing is published on the official website of the proposing authority.

The proposing authority publishes the notice for the public hearing at least one local or national audiovisual or print media.

I.8.3. According to article 8 (4): "Each Party shall ensure that the public referred to in paragraph 3 has the opportunity to express its opinion on the draft plan or programme and the environmental report within a reasonable time frame."

How can the public concerned express its opinion on the draft plan and programme and the environmental report? Please specify (more than one option may apply):

- (a) By sending comments to the relevant authority/focal point
- (b) By completing a questionnaire
- (c) By taking part in a public hearing
- (d) Other (please specify):

Please explain:

Based on Decision no. 219, dated 11.03.2015 "Rules and procedures for consultation with public and stakeholders, and public hearing during the Strategic Environmental Process":

For stakeholder consultation on issues to be addressed in the SEA report, the proposing authority sends a written and electronic notice to the stakeholders defined in point 1 of article 9 of law no. 91/2013, "On strategic environmental assessment", which determines the date, time and place of the meeting.

Stakeholders respond to the proposing authority within 10 (ten) days from the date of the public hearing.

I.8.4. According to article 8 (4): "The public [concerned, including relevant non-governmental organizations] has the opportunity to express its opinion ... within a reasonable time frame."

Do you have a definition (for example, a number of days) in your legislation of the term "within a reasonable time frame"? Please specify:

- (a) No, it is defined on a case-by-case basis
- (b) Yes (please provide the definition):
- (c) Other (please specify):

Please explain your selection:

Stakeholders respond to the proposing authority within 10 (ten) days from the date of the public hearing.

Article 9

Consultation with environmental and health authorities

I.9.1. According to article 9 (1): "Each Party shall designate the authorities to be consulted which, by reason of their specific environmental or health responsibilities, are likely to be concerned by the environmental, including health, effects of the implementation of the plan or programme."

How are the environmental and health authorities identified? Please specify:

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

Please explain:

According to point 1, article 9, of law 91/2013 "On Strategic Environmental Assessment":

- 1. Proposing authority, prior to the drafting of SEA report, 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:
- *a) institutions of public health protection;*
- b) local government units;
- c) institutions protecting agricultural land;
- ς) environmental organizations (NGOs) active in the field of environmental protection and registered under the legislation in force;
- d) other institutions identified with liability in the proposal (ministries etc.).

I.9.2. According to article 9 (4): "Each Party shall determine the detailed arrangements for informing and consulting the environmental and health authorities referred to in paragraph 1."

How are the arrangements for informing and consulting the environmental and health authorities determined? Please specify:

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

Please explain:

According to point 1, article 8, of law 91/2013 "On Strategic Environmental Assessment":

1. Proposing authority, when undertakes the drafting, review or modification of a plan or program, shall notify in advance the ministry responsible for the environment.

According to point 1, article 9, of law 91/2013 "On Strategic Environmental Assessment":

- 1. Proposing authority, prior to the drafting of SEA report, 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:
- *a) institutions of public health protection;*
- b) local government units;
- c) institutions protecting agricultural land;
- c) environmental organizations (NGOs) active in the field of environmental protection and registered under the legislation in force;
- d) other institutions identified with liability in the proposal (ministries etc.).

I.9.3. According to article 9 (3): "Each Party shall ensure that the authorities referred to in paragraph 1 are given, in an early, timely and effective manner, the opportunity to express their opinion on the draft plan or programme and the environmental report."

Does your national legislation call for consultations with environmental and health authorities?

(a) Yes (please refer to specific provisions and provide citations in order to clarify the issue)

According to point 1, article 9, of law 91/2013 "On Strategic Environmental Assessment":

- 1. Proposing authority, prior to the drafting of SEA report, 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:
- *a) institutions of public health protection;*
- b) local government units;
- c) institutions protecting agricultural land;
- ς) environmental organizations (NGOs) active in the field of environmental protection and registered under the legislation in force;
- d) other institutions identified with liability in the proposal (ministries etc.).
 - (b) No

Please explain:

I.9.4. How can the environmental and health authorities express their opinion?

- (a) By sending comments
- (b) By completing a questionnaire
- (c) In a meeting
- (d) By other means (please specify)

Please explain:

Representatives of the Ministry of Records independently for full discussions of public hearings and reflect them in a special report, all participants can express their opinions during the meeting.

In case that during the public hearing are expressed opinions or suggestions which should reflected in the final SEA report, the ministry, within 10 (ten) days, sends them the proposing authority to reflect them in the final SEA report.

Stakeholders respond to the proposal authority within 10 (ten) days from the meeting data. If they do not respond within the deadline, then it means that they do not have the requests to be to be addressed in the SEA report,

Article 10

Transboundary consultations

I.10.1. According to article 10 (1): "Where a Party of origin considers that the implementation of a plan or programme is likely to have significant transboundary environmental, including health, effects or where a Party likely to be significantly affected so requests, the Party of origin shall as early as possible before the adoption of the plan or programme notify the affected Party."

As a Party of origin, when do you notify the affected Party?

- (a) During scoping
- (b) When the draft plan or programme and the environmental report have been prepared
- (c) At other times (please specify):

Please explain:

According to point 6, article II of the decision no. 620, dated 7.7.2015 "On the approval of detailed rules, responsibilities and procedures for Strategic Environmental Assessment in the transboundary context"

The Ministry, within 20 (twenty) working days from the date of receipt of the notification format and accompanying documentation by the proposing authority, starts the practice at the Ministry of Foreign Affairs of the Republic of Albania to notify the affected party of the proposed plan or program that will t is subject to the SEA process in a cross-border context and is invited to participate in the relevant procedure. The notification is accompanied by the notification format of the neighboring state and the required documentation.

I.10.2. According to article 10 (2): "[The] notification shall contain, inter alia:

- (a) The draft plan or programme and the environmental report including information on its possible transboundary environmental, including health, effects; and
- (b) Information regarding the decision-making procedure, including an indication of a reasonable time schedule for the transmission of comments."

As a Party of origin, what information do you include in the notification? Please specify:

(a) The information required by article 10 (2)

(b) The information required by article 10 (2), plus additional information (please specify):

Please explain:

Appendix I of the Decision nr.620, dated 7.7.2015 "On the approval of detailed rules, responsibilities and procedures for Strategic Environmental Assessment in the transboundary context", determines notification form and required information.

I.10.3. According to article 10 (2): "The notification shall contain, inter alia: ... an indication of a reasonable time schedule for the transmission of comments."

As a Party of origin, does your legislation indicate a reasonable time schedule (in days, weeks, months) for the affected Party? Please specify:

- (a) No
- (b) Yes (please indicate how long):

According to point 7, article II, of the "Decision Decision no.620, dated 7.7.2015" On the approval of detailed rules, responsibilities and procedures for Strategic Environmental Assessment in the transboundary context", The affected party expresses interest to participate in the SEA procedure no more than 2 months

If "Yes", please explain whether that schedule contains individual time frames for a response to the notification and for provision of comments and specify those in days, weeks, months, as relevant:

According to point 3, article III, of the "Decision no. 620, dated 7.7.2015" On the approval of detailed rules, responsibilities and procedures for Strategic Environmental Assessment in the transboundary context", The Ministry requests that the affected party, within 7 (seven) weeks from the receipt of the notification, if it has expressed interest in participating in the SEA procedure in a cross-border context, send it a summary in English of the comments. and suggestions from the public and the environmental authority of the affected party regarding issues that need to be addressed in the SEA report

I.10.4. According to article 10 (3)–(4), when the affected Party expresses its wish to enter into consultations before the adoption of the plan or programme, the Parties concerned shall enter into consultations further to detailed arrangements agreed by them with a view to ensuring that the public concerned and the authorities in the affected Party are informed and given an opportunity to forward their opinion within a reasonable time frame.

How do the Parties agree on detailed arrangements?

- (a) Following those of the Party of origin

 In the case where the affected party shows interest in participating in the SEA procedure in a cross-border context, the ministry invites him to participate in the SEA procedures, in accordance with the legislation in force
- (b) Following those of the affected Party
- (c) On a case-by-case basis
- (d) In accordance with existing arrangements (for example, bilateral agreement)
- (e) Other (please specify):

Please explain:

In cases where a bilateral or multilateral agreement has been concluded between the Republic of Albania and the affected party or parties regarding transboundary EIA procedures, based on the Convention on Environmental Impact Assessment and the Protocol on Strategic Environmental Assessment, then apply the procedures and rules defined therein.

Article 11 Decision

I.11.1. According to article 11 (1): "Each Party shall ensure that when a plan or programme is adopted due account is taken of: (a) [t]he conclusions of the environmental report; (b) [t]he measures to prevent, reduce or mitigate the adverse effects identified in the environmental report; and (c) [t]he comments received in accordance with articles 8 to 10."

Please specify how your country ensures that due account is taken of:

- (a) The conclusions of the environmental report
- (b) Mitigation measures
- (c) Comments received in accordance with articles 8–10

Please explain:

The Ministry bases its final decision on the proposed plan or program on the documentation and strategic cross-border environmental assessment report on measures to prevent, reduce or mitigate the negative consequences identified in the environmental report, on public comments, and on the results of consultations realized with the affected party.

I.11.2. According to article 11 (2): "Each Party shall ensure that, when a plan or programme is adopted, the public, the authorities ... and the Parties consulted ... are informed, and that the plan or programme is made available to them together with a statement summarizing how the environmental, including health, considerations have been integrated into it, how the comments received ... have been taken into account and the reasons for adopting it in the light of the reasonable alternatives considered."

How and when do you inform your own public and authorities?

- (a) Pursuant to national legislation (please refer to specific provisions and provide citations in order to clarify the procedure followed):
- (b) Other (please specify):

Please explain:

According to point 1 & 2, article V, of the Decision no.620, dated 7.7.2015 "On the approval of detailed rules, responsibilities and procedures for Strategic Environmental Assessment in the transboundary context",

- The Ministry bases its final decision on the proposed plan or program on the documentation and strategic cross-border environmental assessment report on measures to prevent, reduce or mitigate the negative consequences identified in the environmental report, on public comments, and on the results of consultations. realized with the affected party.
- 2. The Ministry, within 30 (thirty) days from the date of the final decision on the development of the plan or program in the border area, notifies the affected party giving the reasons on which it relied for the decision, its content and conditions set out in it.

According to point 8, article 12, of the Law 91/2013 "On Strategic Environmental Assessment"

The minister's statement shall be notified to the proposing authority, the National Planning Agency Territory, as well as published on the official website of the ministry.

I.11.3. Does the information provided to the public and authorities include?

- (a) Plan or programme:
- (b) Statement summarizing how the environmental, including health, considerations have been integrated into the plan or programme, and how the comments received have been taken into account:

(c) The reasons for adopting the plan or programme in the light of the reasonable alternatives considered:
I.11.4. How do you inform the Parties consulted (art. 11 (2))?
(a) By informing the point of contact
(b) By informing the contact person of the ministry responsible for strategic environmental assessment, who then follows the national procedure and informs his/her own authorities and public
(c) By informing all the authorities involved in the assessment and letting them inform their own public
(d) Other (please specify):
Your comments:
Albania has no experience in the transboundary SEA procedure during the reporting period.
Article 12
Monitoring
According to article 12 (1)–(2): "1. Each Party shall monitor the significant environmental, including health, effects of the implementation of the plans and programmes.
2. The results of the monitoring shall be made available to the authorities and to the public."
I.12. Describe the legal requirements for monitoring the significant environmental, including health, effects of the implementation of the plans and programmes:
Based on Article 15 of Law 91/2013 "For Strategic Environmental Assessment" the proposing authority that implements or supervises the implementation of the plan or program draws up an annual report for the measures taken to protect the environment during implementation, which is sent to the ministry no later than the last week of November.
Article 13
Policies and legislation
According to article 13 (1): "Each Party shall endeavour to ensure that environmental, including health, concerns are considered and integrated to the extent appropriate in the preparation of its proposals for policies and legislation that are likely to have significant effects on the environment, including health."
I.13. Does your country have national legislation on the application of principles and elements of the Protocol as regards policies and legislation? Please specify.
(a) Yes (please specify which articles of the Protocol apply):
(b) No [
Please explain:
Decision no. 219, dated 11.03.2015 "Rules and procedures for consultation with public and stakeholders, and public hearing during the Strategic Environmental Process"
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Decision no. 507, dated 10.6.2015 "On the approval of the detailed list of plans or programs with negative consequences in the environment that will be subject to the strategic

environmental assessment process"

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Law no.9424, dated 6.10.2005 "On ratification of the "strategic environmental assessment protocol"

Law no. 91/2013 "On Strategic Environmental Assessment".

Decision nr.620, dated 7.7.2015 "On the approval of detailed rules, responsibilities and procedures for Strategic Environmental Assessment in the transboundary context"

Part two Practical application during the period 2019–2021¹

Please report on your country's practical experiences in applying the Protocol (not your country's procedures, as described in part one). The focus here is on identifying good practices as well as difficulties Parties have encountered in applying the Protocol in practice. The goal is to enable Parties to share solutions. Please therefore provide appropriate examples highlighting application of the Protocol and innovative approaches to improving its application. Parties' reporting also provides useful information to other countries within and beyond the United Nations Economic Commission for Europe (ECE) region that facilitates their efforts to implement and accede to the Protocol.

Part two also focuses on issues identified in the third review of implementation^a by Parties and those issues that have been identified as priorities by Parties in the 2021–2023 workplan.^b It also addresses the objectives of the Long-term strategy and the action plan for the Convention and the Protocol related to: "Adapting the reviews [of implementation] to maximize their usefulness as a source of information, highlight progress achieved, draw attention to areas that need improvement, disseminate best practice...".^c

A. Some specific questions related to domestic and transboundary implementation in the period 2019–2021

II.1. Does your country's strategic environmental assessment documentation always include specific information on health effects? Please specify:



Letters ë), article 10, point 3, of law 91/2013 "On Strategic Environmental Assessment", defines that the SEA report addresses the following issues:

potential adverse environmental consequences, including impacts on biodiversity, on health of people, on land, water, air, climatic factors, cultural and archaeological heritage, the landscape or and the interaction between these factors;

(b) No, only when potential health effects are identified

II.2. Does your country's strategic environmental assessment documentation always include specific information on potential transboundary environmental, including health, effects? Please specify:



Based on decion no 219, dated 11.03.2015, the party of origin notifies the affected party regarding the transboundary SEA, where among the accompanying documentation is the Project plan or program and the environmental report, which includes information on its transboundary environmental or health consequences;

(b) No, only when potential transboundary effects are identified

^a United Nations publication, ECE/MP.EIA/SEA/14.

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

^c Ibid., decision VIII/3–IV/3, annex, item II.A. 9.

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

B. Example of application of the Protocol in your country during the period 2019–2021

- II.3. Please provide, using the table provided in annex I to this questionnaire, the (approximate) number of domestic strategic environmental assessment procedures initiated during the 2019–2021 period, list them grouped by the sectors listed in article 4 (2), and indicate their average duration and costs.
- II.4. Please provide the (approximate) number of transboundary consultations referred to in article 10 of the Protocol that your country, during the reporting period, initiated, as a Party of origin, and participated in, as an affected Party. Please use the table in annex II to this questionnaire listing the transboundary procedures grouped by the sectors listed in article 4 (2), indicating their average duration.

Albania has not had cases of consultations as a party of origin nor as an affected party.

II.5. Do you have a register of the domestic and transboundary strategic environmental assessment procedures (cases) that can be accessible for other Parties to consult, as needed?

Domestic procedures	Transboundary procedures			
(a) Yes	(a) Yes			
(b) No 🔲	(b) No 🔲			
If so, please provide the access link to the register:	If so, please provide the access link to the register:			

II.6. According to paragraph 10 of decision IV/5 on reporting and review of implementation of the Protocol,² the lists of domestic and transboundary strategic environmental assessment procedures included in the responses to questions II.3 and II.4 of the questionnaire are to be posted on the ECE website. Should your country object to this, however, please indicate "Yes" in the table below and explain, as relevant:

under question II.3 and link to register referred in question II.5, if provided)	Transboundary procedures (list provided under question II.4 and link to register referred in question II.5, if provided)			
(a) Yes (my country has an objection to the compilation and posting of this information)	(a) Yes (my country has an objection to the compilation and posting of this information)			
Please explain:	Please explain:			
(b) No (no objection)	(b) No (no objection)			

C. Experience with the strategic impact assessment procedure in 2019–2021

- II.7. Please list the benefits of strategic environmental assessment that are identified by your country:
- (a) Cost effectiveness

² ECE/MP.EIA/30/Add.3-ECE/MP.EIA/SEA/13/Add.3.

- (b) More focused and informed planning
 (c) Coordination with other sectors/i.e. avoiding overlaps or discrepancies
 (d) Environmental and health benefits
- (e) Other

Please provide your comments:

- I.8. Has your country experienced substantial difficulties in interpreting particular terms contained in (or particular articles of) the Protocol?
- (a) No
- (b) Yes (please indicate which ones):
- II.9. Please indicate how your country overcomes these difficulties, if any. Please provide examples that may include, among other things, working with other Parties to find solutions or using existing guidelines or fact sheets:

II.10. With regard your country's experience with domestic and/or transboundary procedures:

(a) Please describe your country's procedures for ensuring that the health aspects are properly incorporated into the environmental report and that the health authorities are consulted as provided for in article 3

Based on Law 91/2013 on Strategic Environmental Assessment, Strategic environmental assessment process undergoes necessarily in the following successive stages:

- a) notification of the ministry by the proposing authority
- b) consultation with stakeholders on the issues which shall be addressed in SEA report;
- c) drafting of the preliminary report and stakeholders and public consultations on the preliminary report of SEA;
- d) drafting of the final report of strategic environmental assessment;
- e) proposal review and minster's declaration;
- f) decision of the authority for adoption;
- g) monitoring and reporting of plans or program effects to the environment.
 - (b) To contribute to the sharing of knowledge and experience on themes outlined in the workplan for 2021–2023, please provide at least one example of your country's application of strategic environmental assessment in one or several of the following areas:

Biodiversity

Circular economy

Energy transition

Development cooperation

Smart and sustainable cities

Sustainable infrastructure

Maritime spatial planning

(When describing your experience, please indicate the name of the plan/programme subject to strategic environmental assessment, provide background information or describe the context in which the document has been developed, describe the stages of the procedure and other issues of interest for other Parties. Please flag good practice, and/or lessons learned, referring, as relevant, to the contribution of the above application of strategic environmental assessment towards the attainment of Sustainable Development Goals or climate objectives. When providing an example, you may also make use of the template in annex III to the present questionnaire.)

(c) Please indicate whether strategic environmental assessments implemented in your country can be considered to have contributed to the implementation of Sustainable Development Goals and their specific targets:

Yes, (certain) strategic environmental assessments significantly contributed to the attainment of Sustainable Development Goals

Yes, (certain) strategic environmental assessments somewhat contributed to the attainment of Sustainable Development Goals

No, there is no evidence that strategic environmental assessment contributes to the attainment of Sustainable Development Goals in practice

If "Yes", please list the most relevant Sustainable Development Goals³ (and their targets) and provide an example(s) of how strategic environmental assessment has contributed to their chievement

II.11. Please indicate whether your country has been carrying out monitoring according to article 12.

- (a) No 🔲
- (b) Yes:

If so, please specify types of plans or programmes subject to the monitoring according to article 12, citing good practice examples or elements of good practice (for example, consultation or public participation), if available

- (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 informal document 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__SDG_Mapping.pdf.

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 targets of the Sustainable Development Goals 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):

II.12. With regards to your country's experience with transboundary procedures, in response to each of the questions below, please either provide one or two practical examples or describe your country's general experience. You might also want to include examples of lessons learned in order to help others. Please detail:

- (a) What difficulties has your country experienced and what solutions has it found?
 - (i) Translation and interpretation
 - (ii) Other issues

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

(b) What elements of the environmental report and other documentation does your country usually translate as a Party of origin?

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

- (c) As an affected Party, please specify whether and how your country has ensured the participation of the public concerned and the authorities pursuant to article 10 (4):
 - (i) No
 - (ii) Yes (please indicate how):

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

- (c) What has your country's experience been of the effectiveness of public participation? Albania has not had cases of transboundary procedure as an affected Part for the reporting period.
- (e) Does your country have examples of organizing transboundary strategic environmental assessment procedures for joint cross-border plans and programmes?
 - (i) No
 - (ii) Yes (please describe):

Good Practice Recommendations on Public

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

Resource Manual to Support Application of the

D. Experience regarding guidance in 2019–2021

II.13. Has your country used in practice the following documents:

Participation in Strategic Environmental Assessment Protocol on Strategic Environmental Assessment (ECE/MP.EIA/SEA/2014/2) (ECE/MP.EIA/17) Yes Yes No 🔲 No 📗 Please specify reasons for not using the Please specify reasons for not using the Good Practice Recommendations: Manual: (i) Lack of awareness about the document (i) Lack of awareness about the document (ii) The document is not relevant (ii) The Manual is not relevant

Good Practice Recommendations on Public Participation in Strategic Environmental Assessment (ECE/MP.EIA/SEA/2014/2)	Resource Manual to Support Application of the Protocol on Strategic Environmental Assessment (ECE/MP.EIA/17)
(iii) The document is outdated and needs revision	(iii) The Manual is outdated and needs revision
Your comments and/or suggestions for improving or supplementing the Good Practice Recommendations:	Your comments and/or suggestions for improving or supplementing the Resource Manual:

E. Contributions to the funding of the workplans

II.14. 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 Convention and covered both the Convention and the Protocol:

- (i) Yes
- (ii) No

If your response is "No", please provide the information regarding the contributions to the trust fund below.

- II.15. Through paragraph 4 of decision VII/4–III/4 on budget, financial arrangements and financial assistance,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." For the period 2021–2023, by paragraph 1 of decision VIII/1–IV/1⁵, 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."
- (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:
 - (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

⁴ ECE/MP.EIA/23/Add.1–ECE/MP.EIA/SEA/7/Add.1.

⁵ ECE/MP.EIA/30/Add.1–ECE/MP.EIA/SEA/13/Add.1.

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

Yes Please describe how:

No Please explain the reason

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

F. Suggested improvements to the report

II.16. Please provide suggestions for how this report could be improved:

Annex I

List and number of domestic strategic environmental assessment procedures initiated in the reporting period

Sector	Total number or an estimate*	Number of local-level procedures	Number of national- level procedures	Estimated average duration of the procedure,** months, if available	Average costs (also as percentage of the total costs for preparation of a plan/programme), euros and (percentage), if available
Agriculture:					
Forestry:					
Fisheries:					
Energy:					
Industry including mining:					
Transport:					
Regional development:					
Waste management:	1	1		5-6 months	
Water management:					
Telecommunication:					
Tourism:	6	6		5-6 montns	
Town and country planning:	19	19		5–6 months	
Land use:					
Other, including those falling under article 4 (3)–(4):					
* Tl- : :- f ti					

Statistical data

Estimates

Your comments:

^{*} The information provided constitutes:

^{**} Once the need for strategic environmental assessment is determined

Annex II

List and number of transboundary strategic environmental assessments in the reporting period

Sector	Total number or an estimate*	Number of local-level procedures	Number of national- level procedures	Estimated average duration of the procedure,** months, if available	Average costs (also as percentage of the total costs for preparation of a plan/programme), euros and (percentage), if available
Agriculture:					
Forestry:					
Fisheries:					
Energy:					
Industry including mining:					
Transport:					
Regional development:					
Waste management:					
Water management:					
Telecommunication:					
Tourism:					
Town and country planning:					
Land use:					
Other, including those falling under article 4 (3)–(4):					

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

Annex III

Template for describing a good practice example of implementing a strategic environmental assessment at the national level or in a transboundary context

I. General information

- 1. Title of plan/programme Detailed Plan of The Area of National Importance SPILLE
- 2. Authority responsible for the plan's/programme's development

Ministry of Tourism and Environment

II. Background

Sustainable infrastructure

Please provide a short description of the plan/programme, the context of its development and general information about the strategic environmental assessment

III. Procedure under the protocol on strategic environmental assessment and elements of good practice

Please describe, in more detail, the procedural step/steps that is/are considered to represent good practice and then explain why that is:

III.1. Field of application (art. 4)

Tourism, development cooperation and biodiversity

III. 2. Screening (art. 5)

Depending on the type of plan or program if they are part of the list of plans or programs with negative consequences on the environment defined in decision no. 507, dated 10.06.2015 are subject to the strategic environmental assessment procedure.

III. 3. Scoping (art. 6)

Appendix II of Decision nr.620, dated 7.7.2015 "On the approval of detailed rules, responsibilities and procedures for Strategic Environmental Assessment in the transboundary context", determines information to contain the SEA report

III.4. Environmental report (art. 7)

The proposing authority has prepared the preliminary report of the EIA and the final report of the EIA, including the requests and opinions given by interested groups consulted;

III.5. Public participation (art. 8)

Based on decision (no 219, date 11.03.2015) "Rules and procedures for consultation with public and stakeholders, and public hearing during the strategic environmental assessment process" were held 2 consultations with the public

III.6. Consultation with environmental and health authorities (art. 9)

Proposing authority, prior to the drafting of SEA report, 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:

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

III.7. Transboundary consultations (art. 10)

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

III.8. Decision (art. 11)

In the final decision, the authority of adoption (Ministry of Tourism and environmental), argues how, have been taken or not, into consideration:

- a) the terms of the requirements of the ministry, expressed through the position under point 2 of Article 8 of this law, or the declaration of the Minister;
- b) the recommendations of the final report of the SEA;

¹ This draft decision is partially approximated with Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 "on the assessment of the effects of certain plans and programmes on the environment", CELEX number: 32001L0042, Official Journal of European Union, Series L, No 197, date 21.7.2001, page 30-37.

- c) requests and suggestions of the affected country, in case of application of Article 17 of this Law;
- d) the recommendations and opinions of the public and stakeholders;
- e) justification for the choice of the most favorable alternative plan or program;
- f) the obligation to monitor, the effects on the environment, during the implementation of the plan or program, in accordance with the requirements of Article 15 of this Law.

III.9. Monitoring (art. 12)

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

IV. Lessons learned and advice to other parties:

IV.1. Please indicate:

- (a) Challenges in carrying out the procedure, if any, and how those were tackled
- (b) Lessons learned

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

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 targets of the Sustainable Development Goals 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);

⁽¹⁾ 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 informal document 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__SDG_Mapping.pdf.