Format for the Protocol on Pollutant Release and Transfer Registers Implementation Report in accordance with Decision I/5 (ECE/MP.PRTR/2010/2/Add.1)

 **CERTIFICATION SHEET**

**The following report is submitted on behalf of**

**\_\_\_ALBANIA\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
[name of the Party or the Signatory] in accordance with decision I/5**

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| Name of officer responsible for submitting the national report: | Enkeleda Shkurta NFP of PRTR -Albania  |
| Signature: |  |
| Date: |  15/02/2017 |

 **IMPLEMENTATION REPORT**

**Please provide the following details on the origin of this report.**

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| *Party/Signatory* | *Albania* |
| *NATIONAL FOCAL POINT* |
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| *Designated competent authority responsible for managing the national or regional register (if different):* |  |
| Full name of the institution: |  |
| Name and title of officer: |  |
| Postal address: |  |
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|  **Provide a brief description of the process by which this report has been prepared, including information on which types of public authorities were consulted or contributed to its preparation, how the public was consulted and how the outcome of the public consultation was taken into account and on the material which was used as a basis for preparing the report.** |
|  *Answer:This report is prepeared by the sector of the PRTR, part of the Departpent of the National Environment Agency in Albania.* |

 **Articles 3, 4 and 5**

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|  **List legislative, regulatory and other measures that implement the general provisions in articles 3 (general provisions), 4 (core elements of a pollutant release and transfer register system (PRTR)) and 5 (design and structure).** |
|  In particular, describe: |
| (a) With respect to **article 3**, **paragraph 1**, measures taken to ensure the implementation of the provisions of the Protocol, including enforcement measures; |
| (b) With respect to **article 3, paragraph 2**, measures taken to introduce a more extensive or more publicly accessible PRTR than required by the Protocol**;** |
| (c) With respect to **article 3, paragraph 3**, measures taken to require that employees of a facility and members of the public who report a violation by a facility of national laws implementing this Protocol to public authorities are not penalized, persecuted or harassed for their actions in reporting the violation; |
| (d) With respect to **article 3, paragraph 5**, whether the PRTR system has been integrated into other reporting mechanisms and, if such integration has been undertaken, into which systems. Did such integration lead to elimination of duplicative reporting? Were any special challenges encountered or overcome in undertaking the integration, and how? |
| (e) With respect to **article 5,** **paragraph 1**, how releases and transfers can be searched and identified according to the parameters listed in subparagraphs (a) to (f); |
| (f) With respect to **article 5,** **paragraph 4,** provide the Universal Resource Locator (url) or Internet address where the register can be continuously and immediately accessed, or other electronic means with equivalent effect; |
| (g) With respect to **article 5,** **paragraphs 5 and 6**, provide information on links from the Party’s register to relevant existing, publicly accessible databases on subject matters related to environmental protection, if any, and a link to PRTRs of other Parties. |
|  Answer: On 01.06.2006 was approved by Nr.9548 law for accession of the Republic of Albania to the Protocol of the Pollution Release and Transfer Register. According to article 32 of law no. 10431, dated 09.06.2011 "On Environmental Protection", as amended, the PRTR administered by NEA(National Environment Agency). Order of Prime Minister Nr. 138 dated 11.19.2012 "On approval of the structure and staffing of an Agency of Environment and Forestry” was set up PRTR sector, consisting of three persons(chef and 2 specialists). 29 January 2014 with the DCM No.47 "For determination of rules for the organisation and functioning of the National Environmental Agency and Regional Environmental Agencies" NEA creates and manages PRTR. CEMSA project (Europe Aid/128449/C/SER/AL-IPA 2008) has made possible the creation of a program by that the entities which will be part of the PRTR reporting online. Currently this program is installed on NEA but not make it visible by companies to Report themselves. In this program also provided the confidentiality rights under the laws of our country. Reporting formats are not yet approved but currently we work with a similar format on the basis of Regulation (EC) Nr.166 / 2006 of the European Parliament. Persons that report violations until now are themselves entities, who since January 2014 bring in NEA Self-monitoring reports.Has approved the Decision of the Council of Ministers No. 742, dated 09.09.2015 "On the functioning and management of the Pollution Release and Transfer Register, approving the list of activities and pollutants that are the subject of this register and declaration form data on emissions and transfer of pollutants from the operator" , which started legal effect on 1 June 2016 (partly transposes Regulation EC / 166/2006 on the E-PRTR amended by Regulation EC / 596/2009).<http://prtr.akm.gov.al/main/welcome.jsf><http://prtr.akm.gov.al/pem/login.jsp> (in the website of the NEA) |

 **Article 7**

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|  **List legislative, regulatory and other measures that implement article 7 (reporting requirements).**  |
| Describe or identify as appropriate: |
| (a) With respect to **paragraph 1**, whether the reporting requirements of paragraph 1 (a) are required by the national system, or whether those of paragraph 1 (b) are required by the national system; |
| (b) With respect to **paragraphs 1, 2 and 5**, whether it is the owner of each individual facility that is required to fulfil the reporting requirements or whether it is the operator; |
| (c) With respect to **paragraph 1 and annex I**, any difference between the list of activities for which reporting is required under the Protocol, or their associated thresholds, and the list of activities and associated thresholds for which reporting is required under the national PRTR system; |
| (d) With respect to **paragraph 1 and annex II**, any difference between the list of pollutants for which reporting is required under the Protocol, or their associated thresholds, and the list of pollutants and associated thresholds for which reporting is required under the national PRTR system; |
| (e) With respect to **paragraph 3 and annex II**, whether for any particular pollutant or pollutants listed in annex II of the Protocol, the Party applies a type of threshold other than the one referred to in the responses to paragraph (a) above and, if so, why; |
| (f) With respect to **paragraph 4**, the competent authority designated to collect the information on releases of pollutants from diffuse sources specified in paragraphs 7 and 8; |
| (g) With respect to **paragraphs 5 and 6**, any differences between the scope of information to be provided by owners or operators under the Protocol and the information required under the national PRTR system, and whether the national system is based on pollutant-specific (paragraph 5 (d) (i)) or waste-specific (paragraph 5 (d) (ii)) reporting of transfers; |
| (h) With respect to **paragraphs 4 and 7**, where diffuse sources have been included in the register, which diffuse sources have been included and how these can be searched and identified by users, in an adequate spatial disaggregation; or where they have not been included, provide information on measures to initiate reporting on diffuse sources; |
| (i) With respect to **paragraph 8**, the types of methodology used to derive the information on diffuse sources. |
| According to Law No. 10 431 dated 09.06.2011 "On Environmental Protection" as amended, in Articles 21, 26, 27, 31 and 32, the Council of Ministers must fulfil part of respective sublegal acts that regulate  the best operation to PRTR.    INPAEL project on 28 January 2010 has prepared Draft DCM "On the implementation of the Pollution Release and Transfer Register ", which is approximated with Regulation (EC) Nr. 166/2006 the European Parliament and of the Council of 18 January 2006. NEA is waiting for the approval of this DCM and other elements that is irremissibly for operation of PRTR as follows: * Environmental quality standards for specific pollutants or groups of pollutants each of the components of the environment, and deadlines for achieving environmental quality norms
* Technical norms for pollutant discharges into the environment or specific groups of pollutants, for special environmental component, and provisional deadlines for achieving these rates
* National emission ceilings and efficient measures for the better protection of people from popular risk on health from air pollution
* Detailed requirements for the operation and management of the Pollution Release and Transfer Register, the list of activities and pollutants, which are the subject of this register, as well as the declaration form of the data emissions and transfers of pollutants by operator

Draft DCM "On the implementation of the national  pollutant release and transfer register", which appears in the base and for the implementation of article 32 of law no. 10431, dated 09.06.2011 "On Environmental Protection" and Article 3 of Law no. 9548, dated 01.06.2006, "On accession to the Aarhus Convention Protocol on (PRTR)." Is in the process of drafting and consultation of and is projected to be approved in December 2014.We approved the Decision of the Council of Ministers No. 742, dated 09.09.2015 "On the functioning and management of the Pollution Release and Transfer Register, approving the list of activities and pollutants that are the subject of this register and declaration form data on emissions and transfer of pollutants from the operator" , which started legal effect on 1 June 2016 (partly transposes Regulation EC / 166/2006 on the E-PRTR amended by Regulation EC / 596/2009National Environment Agency (NEA) and the Regional Environmental Center, in the framework of the project **„**Support Establishment and Advancement of Pollutant Release and Transfer Registers (PRTRs) in Western Balkan Countries and in the Republic of Moldova”, funded by the German Federal Ministry for the Environment, Nature Conservation, Building and Nuclear Safety’s Advisory Assistance Programme (AAP) for environmental protection in the countries of Central and Eastern Europe, the Caucasus and Central Asia and other countries neighboring the European Union. It is supervised by the German Environment Agency (UBA). The project has been implemented by the Regional Environmental Center (REC) in cooperation with the National PRTR Focal Points, other country partners and with the advisory support from the UNECE PRTR Protocol’s Secretariat. We established the software that is prepared by CEMSA project and install it in the website of the NEA, We have make some trainings for the competent authorities and for the mining industries and chemicals (how to use the software, what do they report and how to report online). NEA also has prepared a list of all operators which are subject for reporting and having notified with the official letter regarding the obligations due to the entry into force of DCM No 742 date 09.09.2015. We have defined 250 companies and we hope that some of them have to report in this year.Also we have launched the software of the PRTR in 24 January 2017 in a press conference where was present and the environment Minister of Albania Mr. Lefter Koka. http://www.mjedisi.gov.al/al/newsroom/lajme/akm-forcon-kontrollin-e-ndotjes-ne-territorin-e-shqiperise-250-kompanite-me-te-medha-ne-vend-detyrim-deklarimin-e-shkarkimeve-ne-regjistrin-online |

 **Article 8**

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|  **For each reporting cycle since the last national implementation report (or date of entry into force of the Protocol), please indicate:** |
| (a) The reporting year (the calendar year to which the reported information relates); |
| (b) The deadline(s) by which the owners or operators of facilities were required to report to the competent authority; |
| (c) The date by which the information was required to be publicly accessible on the register, having regard to the requirements of **article 8** (reporting cycle); |
| (d) Whether the various deadlines for reporting by facilities and for having the information publicly accessible on the register were met in practice; and if they were delayed, the reasons for this; |
| (e) Whether methods of electronic reporting were used to facilitate the incorporation of the information required in the national register, and if such methods were used, the proportion of electronic reporting by facilities and any software applications used to support such reporting. |
| *Answer:* have not yet begun with reporting cycle |

 **Article 9**

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|  **Describe the legislative, regulatory and other measures ensuring the collection of data and the keeping of records, and establishing the types of methodologies used in gathering the information on releases and transfers, in accordance with article 9 (data collection and record-keeping).**  |
| *Answer:* Until now we have only reports 3-month and 6-month of 2014 that the subjects monitoring themselves and sent to NEA*Until now we have only the report for the Antea cement Company that have report voluntary from the year 2011 and now.*  |

 **Article 10**

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|  **Describe the rules, procedures and mechanisms ensuring the quality of the data contained in the national PRTR and what these revealed about the quality of data reported, having regard to the requirements of article 10 (quality assessment).** |
| *Answer:L*aboratories that analyze environmental elements are accredited by GDA (General Directory of Accreditation) in Albania |

 **Article 11**

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|  **Describe the way(s) in which public access to the information contained in the register is facilitated, having regard to the requirements of article 11 (public access to information).** |
| *Answer:* *currently no public access**In December2016 we have installed the site that is visible to the public on the NEA website but still do not have a register with data*  |

 **Article 12**

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|  **Where any information on the register is kept confidential, give an indication of the types of information that may be withheld and the frequency with which it is withheld, having regard to the requirements of article 12 (confidentiality). Please provide comments on practical experience and challenges encountered with respect to dealing with confidentiality claims, in particular with respect to the requirements set out in paragraph 2.** |
| *Answer:In the program part of the confidentiality is involved, where we based our laws, approved by the minister of the environment which data will be confidential upon request subject.* |

 **Article 13**

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|  **Describe the opportunities for public participation in the development of the national PRTR system, in accordance with article 13 (public participation in the development of national pollutant release and transfer registers), and any relevant experience with public participation in the development of the system.** |
| *Answer:* |

 **Article 14**

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|  **Describe the review procedure established by law to which all individuals have access if they consider that their request for information has been ignored, wrongfully refused or otherwise not dealt with in accordance with the provisions of article 14 (access to justice), and any use made of it.** |
| *Answer:* |

 **Article 15**

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|  **Describe how the Party has promoted public awareness of its PRTR and provide detail, in accordance with article 15 (capacity-building), on:** |
| (a) Efforts to provide adequate capacity-building for and guidance to public authorities and bodies to assist them in carrying out their duties under the Protocol;  |
| (b) Assistance and guidance to the public in accessing the national register and in understanding the use of the information contained in it. |
| *Answer:* |

 **Article 16**

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|  **Describe how the Party has cooperated and assisted other Parties and encouraged cooperation among relevant international organizations, as appropriate, in particular:** |
| (a) In international actions in support of the objectives of this Protocol, in accordance with **paragraph 1 (a)**; |
| (b) On the basis of mutual agreements between the Parties concerned, in implementing national systems in pursuance of this Protocol, in accordance with **paragraph 1 (b)**; |
| (c) In sharing information under this Protocol on releases and transfers within border areas, in accordance with **paragraph 1 (c)**; |
| (d) In sharing information under this Protocol concerning transfers among Parties, in accordance with **paragraph 1 (d)**; |
| (e) Through the provision of technical assistance to Parties that are developing countries and Parties with economies in transition in matters relating to this Protocol, in accordance with **paragraph 2 (c)**. |
| *Answer:* |

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|  **Provide any further comments relevant to the Party’s implementation, or in the case of Signatories, preparation for implementation, of the Protocol. Parties and Signatories are invited to identify any challenges or obstacles encountered in setting up, gathering data for and filling in the register.** |
| *Answer:* |