



Scope of the Analysis

The aim of this GAP analysis is to present areas of non-compliance of national legislation in forestry with the European Union (EU) requirements, related to forest-water relations.

Forestry institutions

- **Ministry of Tourism and Environment (MoTE)** is responsible for the preparation of main strategic documents for the development of forest sector such as: policy documents, strategy for forest sector development, national program for forestry sector, laws and by laws.
- **National Agency of Forests** is responsible for management of national forest area and coordination with local government units for management of their forest resources.
- **Local government units (Municipalities-MUNs) are owners of more than 60% of the forest area in the country**
- **National Agency for Protected Areas (NAPA)** is responsible for the management of the protected area and other natural networks as Natura2000 under management plans.

Gaps in the national forest legislation

- There is no definition of high-nature-value forests (accounted for 8.2% of total forest area) and the country lacks a specific legal framework for protection of these forests.
- Existing legislation has not any definition about forest certification and the MoTE has not developed any program for the Endorsement of Forest Certification or to develop any national forest certification system.
- Law 9385 dated 04.05.2005 “For forests and Forest service” has not any specific article dedicated to forest-water relations.
- In the guidelines for forest management planning and in the forest legislation there is no obligation to undertake the environmental impact assessment of all activities in the forest management unit area.

Gaps in the national forest legislation

- Criteria 3 “Maintenance of Forest Ecosystem Health and Vitality” is partly implemented.
- Criteria 5 “Maintenance and Appropriate Enhancement of Protective Functions in Forest Management (notably soil and water)” is partially implemented in the management process.
- Criteria 6 “Maintenance of other Socio-economic Functions and Conditions” is partially implemented in the planning and management process (there are scarce data and unreliable on the contribution of forests to GDP).

Gaps between Water Framework Directive (WFD) and Albanian legislation on water management

WFD has been an important milestone to approach integrated water management at the river basin level in Albania. Since 2011, Albania started the process of adjusting the legal framework dealing with water management and did efforts to approximate its legislation with EU environmental policies and directives.

The target is the adoption of the law No 111/2012 on Integrated water management and its by-laws such: (i) regulation on drinking water quality; (ii) DCM for the list of priority substances in aquatic environments; (iii) DCM the environmental quality norms for surface waters

Gaps between Water Framework Directive(WFD) and Albanian legislation on water management

By the comparison of the Albanian legislation with WFD we noted several gaps which consist in: (i) partial transposition of WFD into national water legislation; (ii) lack of technical requirements.

- Unlike the WFD, the law No 6/2018 and Law 111/2012 has failed to set up the drinking water bodies as protected areas.
- The GoA has not defined yet the technical requirements provisioned in Annex V of the WFD related to: (i) determination of the environmental objectives for surface, ground, and water-related protected areas; (ii) technical requirements to carry out the analysis of river basin characteristics, impacts of the human activity; (iii) monitoring criteria for the surface, ground, and water- related protected areas and (iv) measures proposed in the Plan of Measures.

Gaps between Water Framework Directive(WFD) and Albanian legislation on water management

- Available monitoring data and assessment criteria do not allow a comprehensive appraisal of the environmental status of water bodies. In Albania, most of the rivers are polluted due to discharges of untreated or treated wastewater and in this case, the WFD criteria for “good “status of water bodies are not meet.
- The current monitoring data on the quality and quantity of water resources are insufficient. This is required not only for river basin management plans but also to trace the impact of measures on these water indicators.

WFD key articles	Requirements of WFD	Level of compliance	Albanian legislation and Institutions meeting WFD requirements
Coordination at river basin level (art 3)	Identification of river basins	complied	Law No 111/2012 Law No 6/2018 DCM 342/2016
	Setting up institutions at river basin and national level	complied	Water Resource Management Agency River basin administration Office (Law No 6/2018, art 26)
Environmental objectives for waters (art 4 & annex IV)	Environmental requirements for surface, ground waters (available monitoring data & assessment criteria do not allow a comprehensive assessment of the environmental state of water bodies)	Not complied	Water Resource Management Agency River basin administration Offices (Law No 6/2018, art 27)
Characteristics of the river basins and human activity (art 5)	technical requirements to carry out the analysis of river basin characteristics; impacts of the human activity;	Partly complied	River basin administration Office (Law No 6/2018, art 26)
	economic analysis of water use with WFD compliant classification schemes	Not complied	
Identification of water protected areas (art 6)	To create a register with water protected areas in respect of Art 7 and Annex IV	Not complied	Water Resource Management Agency (Law No 6/2018, art 24/3) Ministry of Tourism and Environment
Identification, monitoring of drinking water bodies (art 7)	Identification of drinking water bodies	Complied	Water Resource Management Agency (Law No 6/2018, art 34/1)
	Monitoring of drinking water bodies	Complied	River basin administration Offices in collaboration with Ministry of Tourism and Environment (Law No 6/2018, art 54)
	Creating safeguard zones around drinking water bodies	Partly complied	Water Resource Management Agency, Municipalities and other institutions (Law No 6/2018, art 40/1) & DCM 379/2016

WFD key articles	Requirements of WFD	Level of compliance	Albanian legislation and Institutions meeting WFD requirements
Monitoring of surface, ground and water protected areas (art 8 & annex V)	Develop and implement a monitoring program for water quality. The quality of drinker water abstracted from private or local wells is not monitored.	Partly complied (monitoring criteria are not defined)	Water Resource Management Agency (Law No 6/2018, art 52/2) Ministry of Tourism and Environment (Law No 6/2018, art 53)
Recovery costs for water services (art 9)	Implementation of the recovery costs for water services (67% of drinking water produced is non-revenue water)	complied	Law No 111/2012
Public information and consultation (art 14)	Stakeholder involvement in the river basin management plan preparation	complied	Water Resource Management Agency (Law No 111/2012, art 91)
Strategy against water pollution (art 16 & annex VIII)	Adopt measures against water pollution	Not complied	
	Create a list of water contaminated substances	complied	Ministry of Tourism and Environment (DCM 267/2014)
	Environmental standards for water quality	complied	Ministry of Tourism and Environment (DCM 246/2014)
Penalties (art 23)	Determine effective, proportionate penalties to protect surface and ground waters	complied	Water Inspectorate (Law No 111/2012, art 96 & DCM 659/2017) ²
WFD compliant classification schemes (Annex II)	Delineation and characterization of water bodies in accordance with WFD	Not complied Water bodies are not delineated and characterized in accordance with WFD	

Gaps between UN Convention on Biologic Diversity and Albanian legislation on biodiversity

- Lack of capacities to manage properly new protected areas without external financial and technical support
- Weak capacities to elaborate on feasible strategies, action plans, and programs.
- Lack of integrated databases concerning biodiversity. Management and integration of information provided by various institutions engaged in biodiversity monitoring are weak.
- Monitoring of flora and fauna using only 76 monitoring sites spread across the whole country is insufficient and the data provided do not allow a comprehensive assessment of biodiversity status and biodiversity monitoring indicators.

Gaps between UN Convention on Biological Diversity and Albanian legislation on biodiversity

- Weak capacity to implement rehabilitation measures in degraded ecosystems and recovery of threatened species
- Weak capacity to carry out biodiversity monitoring
- There are little data on the monitoring of marine life and the monitoring data are incomplete and fragmented.
- In the country still, there is not a national ecological network and associated management plans
- Low level of awareness of decision-makers related to biodiversity importance, value, and conservation.

Gaps between UN Convention on Combating Desertification and Albanian legislation

The main gaps identified to implement successfully the CCD were:

- Lack of financial sources of institutions at the central and local level to develop or carry out works or investments on land protection
- Low awareness and knowledge of decision-makers on land degradation consequences and legal framework
- Lack of budget and technical capacities to implement national programs and lack of qualified staff
- Low awareness of the community concerning environmental issues in general and land desertification in particular.
- The inadequate institutional framework at the central and local levels to foster technical and scientific cooperation.

Gaps between UN Convention on Climate Change and Albanian legislation

- Albania lacks data and studies on the impact of climate change on nature including; water resources, forest resources and other natural vegetation, biodiversity and ecosystem functions and services.
- There is a lack of policies on the adaptation of different economic sectors and infrastructure to climate change as well as to other natural and anthropogenic hazards. Albania is vulnerable to impacts of natural and human phenomenon hazards such as: floods, forest fires, landslides and erosion, heat and cold waves.
- Albania still has weak specific legislation to support and promote the reduction and stabilization of GHG emissions and carbon capture and storage. A draft law on climate change is prepared to respect the principles, definitions, and requirements of the UNFCCC and EU directives, and a draft national climate change strategy is under development.

Gaps between UN Convention on Climate Change and Albanian legislation

- Albania does not implement systematic measures to improve education and raise awareness of the population on climate change, adaptation, impact reduction and early warning as advocated by target 13.3 of the 2030 Agenda for Sustainable Development
- The working group which prepared the National Adaptation Plan by the revision of the existing institutional framework identified many gaps such as: (i) *insufficient coordination structures between sectors* and (ii) *absence of consolidated government structures dealing with climate change*.

Gaps between Flood Directive and Albanian legislation

From the revision of the legal framework policies and reports in Albania, related to Flood Management and Risk assessment we noticed several gaps.

- weak coordination between entities/authorities working at local and national level
- weak coherence in policy documents between various sectors
- partly synchronization between Flood Risk Management Plans prepared by institutions at national versus local level
- regional or local government units have not sufficient technical capacity to develop flood risk management measures and maps.
- there is a need to strength and share the responsibility between institutions responsible for flood management

Gaps between Flood Directive and Albanian legislation

- limited funds for flood risk management measures become increasingly difficult as budget dedicated is reduced. The Floods Directive neither provides a budget for funding nor recommends how to arrange funds for the implementation of measures.
- in all reports and studies, there are scarce data on the environmental impacts of floods
- there is a lack of high-resolution data to estimate the potential flood losses or mapping the flood risk
- there is a lack of data to underpin the economic justification of measures regarding floods management

Gaps between Flood Directive and Albanian legislation

- there is not a standard methodology to quantify all the costs from floods and benefits from ecosystem services
- standardization towards a common methodology on flood risk management is missing
- there is a gap between scientific evidence available and the information needed by decision makers.



Thank you for your attention