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## **EUROPEAN SOCIAL CHARTER**

8<sup>th</sup> National Report on the implementation of  
the European Social Charter

submitted by

**THE GOVERNMENT OF ALBANIA**

(Articles 3 and 11 for the period  
01/01/2008 – 31/12/2011)

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**CYCLE 2013**

**REPORT OF ALBANIA**  
**ON THE REVISED EUROPEAN**  
**SOCIAL CHARTER**

**ARTICLES 3 and 11**  
**October 2012**

## Article 3

### Paragraph 1

In order to fully complete the existing legal and policy framework in the field of safety and health at work, Albania took the initiative of drafting the Policy Paper on Health and Safety at Work, as adopted upon Decision of the Council of Ministers No. 500, dated 06 May 2009 "On some amendments to the Decision of the Council of Ministers No. 751, dated 07 November 2007 "On the approval of the Sector Strategy of Employment and the Action Plan for its implementation." The new Chapter 6, which is entitled "Policy Paper on Safety and Health at Work", is added after Chapter 5 of the Sector Strategy of Employment.

The Policy Paper on Health and Safety at Work is a document, which is drawn up in the framework of the commitments as set out in the government's program, and pursuant to Article 70 of the Stabilization and Association Agreement with Albania, which established the obligation for the approximation of national legislation with the *acquis communautaire*, and the National Plan for the Implementation of the Stabilization and Association Agreement.

The purpose of this paper is to build a clear path for the future development of the safety and health services at work. Its purpose is not only to have the State Labor Inspectorate contribute to achieving safer and healthier workplaces, but also to involve more public institutions to make the workplace more productive, which is to the benefit of all.

The document envisages improvement of the inspection system by the following: i) approximation of the legal framework to the *acquis communautaire*; ii) the establishment of a modern and unique labor inspection service throughout the country; iii) building of partnership with the social stakeholders; iv) the development of information and communication system with enterprises; v) the development of a risk prevention behavior at work.

The requirements of the EU Strategy on Safety and Health at Work, and those of other international acts, which the Parliament of the Republic of Albania has ratified, were taken into account when drafting this Policy Paper.

The vision, which the National Strategy for Development and Integration (NSDI) has set out for the coming years, which lays down the desire of every Albanian citizen to see Albania as a country with a high standard of living, integrated into European and Euro-Atlantic structures, a country which is democratic and, which respects fundamental human rights and freedoms of all its citizens, was also taken into account when defining the vision of Policy Document on Safety and Health at Work .

To achieve this vision, the strategic priorities, which refer to the strategic objectives, focus on the following areas:

- a. Corresponding legislation
- b. Effective institutional framework
- c. Appropriate education and training in the field of safety and health at work.
- d. Increasing of awareness and social motivation on issues of safety and health at work.

e. Implementation of new tools for effective measures regarding the prevention and safety and health at work and effective cooperation with other organizations, social partners and international institutions.

A. In the framework of the implementation of this policy document, the Ministry of Labor, Social Affairs and Equal Opportunities took the initiative to draft Law No. 10237, dated 18 February 2010 "On safety and health at work."

The present law reflects provisions of the *acquis communautaire* in the field of safety and health at work, the latest recommendations of the EU, especially the European Commission Framework Directive (89/391/EEC, dated 12 June 1989) on the introduction of measures to encourage improvements in the safety and health of workers at work, 31989L0391, Official Journal 183, Series L, dated 29 June 1989, pages 0001-0008, and it satisfies the commitments to the International Labor Organization concerning ratification of Convention No. 155 "On Occupational Safety and Health and the Working Environment." (For detailed information about this law please refer to the answers to question 65).

#### B. Education and proper training for OSH

Education and training on OSH helps systematically to create and develop professional knowledge, opportunities and skills in addition to creating attitudes and behaviors, which are expected by employers, workers and self-employed persons specifically with regard to proper introduction of OSH issues in a continuous education system, which is linked with vocational education, deepening and refining of training, retraining, further education and the acquiring of new skills.

Primary and secondary schools [elementary and 9-year] can play an important role in the education of OSH, because the feedback on the prevention of risks can be solicited more easily during childhood. Being aware of the importance of the protection of health and the prevention of injuries, these principles should be taught since the primary and secondary education.

#### C. The development of social awareness and motivation for OSH

European and national information campaigns represent an important tool in achieving positive changes in terms of prevention. Their objective is to exchange experience in specific areas of risks in the workplace, and in the dissemination of best practices, to identify and eliminate hazards or reduce their impact on the workers' health and safety.

Effective use of media, especially among employers, serves to raise awareness on OSH and to create and maintain a positive approach to employers, self-employed and workers. Knowledge about best practices in OSH may be spread through informing and consulting activities, as well as, through the procedures that lead to the improvement of working conditions and health of workers in a manner, which does not jeopardize performance.

#### D. Implementation of new tools for the effective prevention of OSH

Identification, evaluation and continuous management systems of risks, which may arise or existing ones, is the main preventive basis in the field of OSH. It is especially necessary that employers, self-employed and workers are motivated by economic initiatives. The integration of OSH in the company management system, mainly to

SMEs, is of particular importance. The role of workers' representatives in the settlement of OSH issues at the workplace, technical assistance and offering the possibility of information to all parties involved, vocational counseling and education are also very important.

#### E. Effective cooperation

Cooperation between the relevant state administration and social partners is one of the basic requirements for prevention and respecting of international principles. Such cooperation should be carried out in accordance with national and international regulations and legislation at all levels - at the corporate level, at the local and regional level through social dialogue and the involvement of social partners in the resolution of OSH issues, and through discussion about targets and proposals regarding legal arrangements. It is also important to support bilateral cooperation at company level when drafting internal corporate regulations, risk prevention, employer's inspection operations and collective bargaining.

Commission on OSH in the National Labor Council has an important role to play in promoting cooperation at all levels. Bilateral agreements between partners [stakeholders] in the field of OSH should form the basis for cooperation at the national level.

Monitoring of the implementation of the Policy Document on Health and Safety is anticipated to be carried out by the policy-making structure of health and safety issues at work in the Ministry of Labor, Social Affairs and Equal Opportunities, as well as, by structures, technical inspectorates operating in line ministries. In addition, Chapter VII, Article 36 of the Law on safety and health at work provides for the establishment of a Inter-ministerial Committee on matters of health and safety at work to better coordinate all laws and policies to be drafted and implemented by all institutions in this field. (Please consult the Ministry of Labor, Social Affairs and Equal Opportunities website hereunder provided,

<http://www.mpcs.gov.al/images/stories/ministria/mpcsshb/legislation/> where you will find the full policy document.

#### **Paragraph 2**

Decision of the Council of Ministers No. 100, dated 02 March 2008 "On hazardous substances" (Official Journal: Year 2008, No. 19, Page 679, Publication date: 22 February 2008). The purpose of this decision is to determine hazardous substances in order to protect health and ensure safety at work when using them. This decision is binding on all manufacturing or importing legal and natural persons, who are obliged to respect the standards at the workplace.

Albania has signed the Stockholm Convention on 05 December 2001 and ratified it upon Law No. 9263, dated 29 July 2004 "On the accession of the Republic of Albania to the Stockholm Convention", therefore undertaking the obligation to prohibit the use of the largest part of Persistent Organic Pollutants, the restriction of DDT (Dichlorodiphenyltrichloroethane).

In this context, the Ministry of Environment, Forestry and Water Administration (MoEFWA) in collaboration with the project "On drafting the national plan for the enforcement of the Convention on POP-s" (2004-2006) funded by the Global Environment Fund (GEF), the United Nations Development Program (UNDP), drafted the National Action Plan, which was approved upon Decision of the Council of Ministers No. 860, dated 20 December 2006 "On the approval of the National Action Plan for the disposal and elimination of Persistent

Organic Pollutants" Official Journal: Year 2006, No. 145, Page 5723; Publication date: 09 January 2007.

In regard to a number of important issues as identified in the Action Plan for Persistent Organic Pollutants, Albania has made significant progress to solve them with the support of international organizations and bilateral agreements. In this context, it is worth mentioning the shipping outside the country of all pesticide POP. The last stock of pesticide POP was taken out of the country in 2006. Hexachlorane and Lindane waste of the Durres former chemical plant will be deposited into a CDF (Confined Disposal Facility), the construction of which was planned to take place by 2010.

The Decision of the Council of Ministers No. 824, dated 11 December 2003, "On the classification, packaging, labeling and safe storage of dangerous substances and preparations," Official Journal: Year 2009, No. 130, Page 6078; Publication date: 05 September 2009 aims to regulate generation, trading, storage and distribution of dangerous substances and preparations, while respecting the Albanian legislation and international rules. The manufacturer, importer and distributor of dangerous substances and preparations may launch them into the market, if it ensures that the packing of the dangerous substance and preparation does not leak at all and that they pose no risk of injury to human health or to the environment.

According to Paragraph 5.1 of this Decision the manufacturer, importer and distributor may bring dangerous substances and preparations to the market, only if they have labels listing data for their dangerous properties as set out in this Decision.

Disposal and storage of chemicals, which are dangerous to health and the environment, is subject to authorization and registration procedure. Applications for permits are filed with the Ministry of Economy Trade and Energy, while applications for registration are filed with the Ministry of Environment, Forestry and Water Administration. The committee for granting permits for the disposal and storage of dangerous chemicals is set up in of Economy Trade and Energy with representatives from this Ministry, the Ministry of Health, Ministry of Interior and Ministry of Environment, Forestry and Water Administration. The procedure of obtaining permit and the regulations for the functioning of the committee are adopted by the ministers of the ministries in charge.

The Decision of the Council of Ministers 824/2003 partially transposes Council Directive 67/548/EEC of 27 June 1967 on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labeling of dangerous substances, 31967L0548 Official Journal: no. 196, Series L, dated July 16, 1967, Pages 0196-0198 and its amendments.

Chapter 4 of the manual in support of the State Sanitary Inspectorate provides the list of permissible limits of concentrations of gases, vapors and toxic dust in the air of working environments, according to the table taken from the "Legal provisions for occupational hygiene," Tirana 1974.

In the framework of the implementation of this Policy Document, the Ministry of Labor, Social Affairs and Equal Opportunities drafted Law No. 10237, dated 18 February 2010 "On the safety and health at work."<sup>1</sup>

- This law contains full transposition of the provisions of *acquis communautaire* in the field of safety and health at work, the latest recommendations of the EU, especially the European Commission Framework Directive (89/391/EEC, dated 12 June 1989) on the introduction of measures to encourage improvements in the safety and health of workers at work, 31989L0391, Official Journal 183, Series L, dated 29 June 1989, pages 0001-0008;
- It also contains a partial transposition of Council Directive 94/33/EC of 22 June 1994 on the protection of young people at work (OJ L 216, 20.8.1994, p. 12)";
- It satisfies the commitments to the International Labor Organization concerning ratification of Convention No. 155 "On Occupational Safety and Health and the Working Environment."

The purpose of this law is to ensure the safety and health at work for workers and to define the responsibilities of workers in terms of achieving an appropriate level of protection of workers' health against occupational hazards by means of drafting coherent, coordinated and effective measures for the prevention of occupational hazards.

Article 3, Paragraphs 1,2 and 3 of Law 10237/2010 define the scope of this law in all sectors of public and private activity (i.e., including here also the self-employed). The exceptions here include the relevant fields when other legal provisions provide for more favorable treatment in regard to protection of workers' safety and health at work. In addition, this law will not be applied to some specific services of the Armed Forces where service features are inconsistent with the provisions of this law. In these cases, the safety and health at work should be ensured as far as possible in accordance with the requirements of this law.

The novelty of this law is the obligation of employers to draft risk assessment and prevention document, which contains measures of technical, organizational and sanitary character, which will be implemented according to the specific conditions of the jobs of the activity.

Additionally, this law provides for the establishment and functioning of protection and prevention services, as well as, health and safety council at enterprise level. These services have not existed even as a concept to date in the Albanian legislation. These structures, which constitute bipartite social dialogue at enterprise level, will be applied to enforce the preventive measures and to ensure balanced participation of workers when drafting the assessment and prevention document for risks emerging from work.

More specifically, Article 13 of Law 10237/2010 stipulates that the employer allows workers and their representatives to participate in discussions in the Council of Safety and Health at Work on all issues relating to safety and health at work under Article 10 and 11 of this Law and bylaws pursuant to it.

Article 14, Paragraph 2 of the Law envisages that Council of Safety and Health at Work is an advisory partnership body, which consists of representatives of employers and workers who

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<sup>1</sup> [http://www.mpcs.gov.al/images/stories/ministria/mpcsshb/legislation/law\\_nr.10237\\_on\\_safety\\_and\\_health\\_at\\_work\\_2.pdf](http://www.mpcs.gov.al/images/stories/ministria/mpcsshb/legislation/law_nr.10237_on_safety_and_health_at_work_2.pdf)

are represented in an equitable manner, and the purpose of which is to conduct regular and periodic consultation of the activity of the enterprise to prevent risks at work.

Another novelty of this law is the introduction of the notion of specialized services outside the enterprise, which are qualified to carry out protection and prevention services.

The novelty as set forth in Chapter V "The investigation of accidents at work" is the classification of accidents into 4 degrees based on the consequences caused by an accident and the number of injured persons.

Chapter VI provides for groups that are sensitive to risk, namely the special protection of pregnant women, breastfeeding women, minors, and persons with disabilities, as well as, special measures that the employer should take to adjust the workplace according to the requirements for this category of workers in order to prevent risks, which emerge from work.

Article 19, Paragraph 1 (a, b, c) of the Law defines when the training of workers has to be conducted. This is reflected in the fact that the employer makes sure prior to and during the employment that all workers (whether with fixed term or temporary contract) obtain the necessary training if new technologies or new working tools are introduced, when working process changes, in a way that the risk affects the level of health and protection at work, and in the case of transfer or change of job.

### **Paragraph 3**

The self-employed in Albania are treated under the same legislation that deals with other workers in terms of health and safety at work.

#### **Comparative data over years:**

Period	Year	Total number of accidents	Fatalities
<b>January-December</b>	2011	126	26
<b>January-December</b>	2010	111	26
<b>January-December</b>	2009	112	35

#### ***The observations and tasks as assigned by the labor inspectors who investigated accidents in 2011 are as follows:***

Investigations of accident show that the main causes of accidents are the following:

Falling from the height and these mainly in the construction sector.

Strikes by items of various kinds.

Gas explosion

Injuries while operating machinery

Electrical shocks

Slipping, etc..

The following shortcomings were found when inspecting the entities:

Failure of the employer to report the accident as provided for by the law.

Failure to take collective protective measures.

Failure of employer to provide workers with individual protective equipments and when equipments have been available.



Even when protective equipments are available, there has been failure on the side of workers to use them, etc.

To minimize the number of accidents at work, efforts were focused on strengthening inspection in the entities and the concentration of these inspections in entities with difficult and dangerous jobs, which comprise the main scope of inspection such as construction, manufacturing, mining, etc.

### **78 workers were examined with occupational diseases in 2011.**

The organization chart of the State Labor Inspectorate is regulated under the Prime Minister's Order No. 87, dated 25 October 2011 "On the approval of the organization chart and staffing of the State Labor Inspectorate."

Total number of labor inspectors is 129, of whom:

16 in the General Directorate and 113 in the Regional Directorates of Public Health.

Under the labor legislation, when labor inspectors are obstructed while carrying out their duty, the entity shall be punished by a fine of up to 10 times the minimum wage, which is currently 21,000 Albanian Leks per month.

Key nationwide data of inspection for the period 2010/2011

Description	Year 2010	Year 2011
Inspected entities	14771	14028
Private entities inspected	14642	13956
Workers recorded in the private sector	148179	137447
Average of workers employed in private entities	10.1	9.8 workers/entity
	workers/entity	
Workers without individual contract	23140 or 15.6%	11317 or 8.2%
Young workers under 18 years	451	280
Entities inspected due to complaint motives	93	75
Workers who are not declared at the taxation office	1994	1470
Number of inspections after 22:00 hours	366	184
Entities inspected employment promotion		131
Foreign workers	1254	1156
Foreign workers without permits	210	145
Penalized entities	532	381
Amount in Albanian Leks	62,076,000	58,145,000

Significant progress has been made in terms of increasing the number of inspected entities. Based on the above statistics, the number of entities inspected compared to 2007 has almost doubled.

During 2011 labor inspectors have imposed total fines as follows:

Number of fines: 381 fines amounting to 58, 720, 000 Albanian Leks.

Identified sectors: electricity sector, construction, manufacturing enterprises etc..

In 90% of cases the fines were imposed due to safety and health problems at work.

Summary table of fines in 2010/2011

No.	Prefectures	Fines: Year 2010		Fines: Year 2011	
		Number	Amount in Albanian Leks	Number	Amount in Albanian Leks
1	Tirana	192	26 685 000	131	19 120 000
2	Durres	43	6 125 000	50	10 958 000
3	Vlora	87	6 925 000	40	2 430 000
4	Elbasan	61	12 500 000	38	7 690 000
5	Dibra	39	4 802 000	30	6 832 000
6	Shkodra	34	3 528 000	18	2 250 000
7	Lezha	9	597 000	19	1 950 000
8	Kukës	14	3 340 000	13	2 020 000
9	Korça	11	2 200 000	10	1 200 000
10	Fier	8	310 000	11	1 320 000
11	Berat	14	410 000	8	350 000
12	Gjirokastra	18	3 870 000	13	2 600 000
	<b>Total</b>	<b>530</b>	<b>71 292 000</b>	<b>381</b>	<b>58 720 000</b>

## Article 11

### Paragraph 1

Mother and child health remains a priority for the Ministry of Health.

According to the latest data from 2011 of administrative statistics of the Ministry of Health, maternal mortality rate results in 5.8 deaths per 100 thousand live births. Absolute total number of women who die at birth is significantly reduced from 29-30 women in 1990-92 to 2-1 respectively for 2010-2011.

Even when referring to WHO, UNICEF and the World Bank estimates about maternal mortality rate in the world (which are made based on a number of statistical indicators and calculation of several indexes) Albania has reduced maternal mortality rate by -44% (minus 44%) for 2010 compared to 1990. Source trends in maternal mortality: 1990 to 2010, WHO, UNICEF, UNFPA and the World Bank estimates - Annex 2; Trends in estimates of maternal mortality rate (MMR, maternal deaths per 100 000 live births) by 5-year intervals 1990–2010; Trends in maternal mortality rate by country 1990 to 2010. 1. Maternal mortality - trends. 2. Maternal welfare. 3. Data collection - methods. 4. Models, Statistical. 5. Millennium Development Goals. I. World Health Organization. II. World Bank. III. UNICEF. IV. United Nations Population Fund. ISBN 978 92 4 150363 1 (NLM classification: WQ 16) © World Health Organization 2012.

Country	MMR <sup>a</sup>					% change in MMR between 1990 and 2010	Average annual % change in MMR between 1990 and 2010 <sup>b</sup>	Range of uncertainty on annual % change in MMR	
	1990	1995	2000	2005	2010			Lower estimate	Upper estimate

Albania	48	43	39	31	27	-44	-2.9	-3.6	-2.2
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**Health care for every pregnant woman and for birth (with or without health insurance) is provided for free in the primary and hospital care.**

In urban areas, primary health care service for mother and child is provided through Mother and Child Counseling Centers (MCCC), which are responsible for providing key services for the prevention and control of disease and health promotion, including reproductive health, antenatal and postnatal maternal care, child nutrition, growth monitoring and vaccination.

Primary health care service for mother and child in rural areas is provided through health centers and village clinics by family doctors, nurses and midwives/nurses.

In principle, duties of health care services for pregnant women and children are identified on the basis of a number of orders and regulations as approved by the Minister of Health, such as the following:

**Regulation on reproductive health services in primary health care sector** (Decision of the Minister of Health No. 147, dated 11 April 2003), which describes, among other services offered at the PHC level, the tasks of mother and child counseling centers in the urban and rural areas and the tasks of health care professionals involved in the provision of the above services.

**Decision of the Minister of Health No. 146, dated 11 April 2003**, which provides detailed technical guidance on how the duties listed in the previous paper should be performed in terms of monitoring pregnant women and children of 0-6 years old by the primary health care services.

**The instruction defines the monitoring that should be made to pregnant women by health personnel where we may mention a few key points such as the following:**

- All pregnant women shall benefit free health monitoring during pregnancy, birth and after birth in the mother and child health care institutions.
- At least 4 antenatal checks (ANC) should be performed in regard to pregnant woman monitoring during the antenatal period, which are necessary to prevent, detect, manage possible complications and, when necessary, to refer to them in a timely fashion.
- In those cases where the woman is identified with various health problems (the instruction provides a list of problems that should be taken into account) she will be examined by a doctor at more frequent intervals according to the type of problem presented.

Similarly, the instruction sets out the time when it needed to perform the 4 checks and the content of checks along with the procedures that have to be provided by the doctor.

- The first check will take place by the first quarter of pregnancy.
- The second check will be carried out by the 22<sup>nd</sup> – 26<sup>th</sup> week of pregnancy.
- The third check is carried out by the 30<sup>th</sup> – 32<sup>nd</sup> week of pregnancy.
- The fourth check will take place on the 38<sup>th</sup> week of pregnancy.

Each check has to be associated with the procedures and examinations to be requested.

The instruction also prescribes that during pregnancy women will perform 3 free ultrasound examinations in the following periods: **first examination during 8<sup>th</sup> -11<sup>th</sup> week of**

**amenorrhea; the second examination during the 19<sup>th</sup> – 22<sup>nd</sup> week of amenorrhea; third examination during 32<sup>nd</sup> week of amenorrhea.**

The instruction additionally provides monitoring protocol for women after childbirth, where it is stated that:

All women after childbirth during the puerperal period will be necessarily checked by the health care staff, which covers health care for women during and after pregnancy in the urban and in the rural areas according to the instructions as stipulated in the instruction:

a-puerperal period includes the period of time from the first day of birth until 60<sup>th</sup> day of it.  
b-Woman check in the postpartum period has to necessarily be carried out on the 3<sup>rd</sup> day, the 8<sup>th</sup> day and the 40<sup>th</sup> day after birth.

c-woman should be checked for the following:

- pulse, TA
- temperature
- anemia
- breast check and lactation management and referral in case there are problems
- pelvic examination, checking for involution of the uterus - potential genital tract infections
- vulvo-vaginal condition check, character of discharges
- urination and defecation
- discussion after birth with the mother for appropriate methods of contraception.
- if the birth is performed by cesarean section, then an additional check may be needed within 8 - 15 days.

In addition, the instruction also provides advice, explanations and counseling about the treatment of pregnant women's nutritional status, provision of iron and folic acid, treatment of anemia resulting from iron deficiency beginning with the period before conception (teen age and periods of reproductive age) and continuation during pregnancy and after birth.

**"The basic package of primary health care services"** (approved upon the Order of the Minister of Health dated 16 February 2009) describes the tasks to be undertaken at the level of primary health care and it includes those to be provided by Mother and Child Counseling Centers urban areas.

**Monitoring service of pregnant and postpartum women is included in the women's health care and reproductive health that is provided by this package.**

### **Improvement of the quality of maternal care services**

The package has clearly defined the following:

- Care to be provided to pregnant women, its purpose,
- Monitoring and management of women during pregnancy and after birth,
- Preventive care and maternal health promotion in the family and in the community
- Skills that medical staff should have in order to provide this service, referral system, the services to be provided to the community,
- The standards that this service should have in accordance with clinical practice guidelines as developed by university departments of family medicine and pediatrics,
- Equipment and pharmaceuticals that the center should have in order to offer this service to mother and child and unified medical documentation.

This requires that the health clinic staff, the family doctor and midwife should deal with the management and treatment of common health problems of pregnancy where they describe the following:

**Normal number of medical checks (4 checks in normal pregnancy and more checks in case of pregnancy with problems); test to be performed during pregnancy; referral for those tests that are not performed in the clinic; management of common problems of pregnancy; provision of supplements of vitamins, folic acid and iodine preparations; management and referral of major problems during pregnancy (high blood pressure, diabetes, et); management of anemia during pregnancy, etc.**

In connection with **post-natal care**, the number of postnatal checks to be performed by the clinic for the woman after childbirth (check within the first 3 days after birth, and on the 8<sup>th</sup> and 40<sup>th</sup> day after birth) is defined.

**Likewise, the clinic should also provide education, information and counseling to women during pregnancy and after birth for various topics such as breastfeeding, family planning and pacing of pregnancies.**

#### **Improved quality of maternal and child clinics in PHC**

Ministry of Health found it necessary to improve the performance of mother and child counseling centers service in the frame of the reform of the health system. To this end, an international group of experts selected by UNICEF in collaboration with a group of Albanian experts conducted during 2010-2011 an analysis of the current counseling centers by checking their situation on the ground and it drafted an action plan for the reorganization and creation of a new model for them in accordance with the new changes to primary health care organization. During the second half of this year, work to draft standards, guidelines, protocols and relevant tools for counseling services for woman and child has continued.

#### **Care at birth**

**Care during birth is provided free of charge in all public hospitals and maternity hospitals since 2010, while in two private hospitals Hygeia and the American Hospital it is provided against payment.**

**It must be remembered that 98% of births in Albania occur in health care institutions, which are manned by technically skilled personnel (Albanian Demographic Health Survey-2008-09).**

In the context of improving the quality of maternity services in public hospitals, the Ministry of Health has undertaken these interventions during 2009-2011.

#### **Improvement of the infrastructure of maternity services for women**

During 2011, the maternity hospitals in 16 districts in the country were equipped with modern medical equipment sets, which are efficient infrastructural interventions that reduce infant and maternal mortality, thus having at the same time an impact on improving mother and child health. The value of sets of equipment, which were placed in maternity hospitals of

the districts of Puka, Mirdita Kurbin, Kukes, Tropoja, Has, Diber, Skrapar, Burrel, Gramsh, Korça, Pogradec, Saranda, Fier, Vlora and Berat, amounts to over \$110,000 USD.

Modern equipment and their selection has been carried out carefully, so that those sets of equipment are already the same not only to those in the central hospitals in Tirana, but also to those sets of equipment used in the same homologous hospitals in Europe.

In the framework of the project "Reforming health care for mother, newborn babies and child in Albania (HCMNB&C)", four pilot maternity hospitals including Tirana, Shkodra, Korça and Vlora have implemented in practice the principles of Effective Perinatal Care (improvement of management of normal births), complications related to the birth, essential and more specialized care for the newborn babies.

15 national clinical protocols have been compiled for obstetrics and neonatology and 27 clinical protocols for pediatrics. These protocols serve to increase the quality of service, while their compilation is carried out by relying on medical evidences, which are scientifically based and tailored to the national context. These protocols were drafted by the Albanian experts supported by international experts and accredited by the National Center of Accreditation and Quality.

During 2011, the health personnel of the maternity hospitals of Korça and Vlora received training on **effective perinatal care / newborn baby care package of WHO**.

The tool for assessing the quality of care for the mother and the newborn babies in maternity hospitals was adopted in collaboration with WHO. This is a unified tool to assess the quality of care services for the delivery and newborn babies based on international standards and it will be applied by all maternity hospitals to assess the quality of these services.

### **Improving the state of nutrition for women**

Albania continues to promote successful breastfeeding as an intervention, which has a significant impact on infant and maternal morbidity and mortality and, which also expands the "Baby Friendly Hospitals" Initiative of WHO / UNICEF, therefore matching the 10 steps of breastfeeding in maternity services. According to our researches, breastfeeding indicators have increased twice within the last 10 years from 6% in 1999 to 37% (**Albanian Demographic Health Survey-2008-09**).

The Ministry of Health has drafted the national dietary guideline based on the recommendations of the WHO and FAO. The guideline reflects specific recommendations for the nutrition of babies, children and pregnant women.

In March 2012, the awareness campaign about *New and better ways of feeding babies and children in Albania* was opened. The aim of this campaign is to improve the health and development of children and to contribute to the steady improvement of child nutrition practices and reducing of malnutrition beginning with the nutrition of women before conception and during pregnancy. Important part of this campaign will be the promotion of breastfeeding especially exclusive breastfeeding.

During 2011, the integrated training modules on nutrition of pregnant women, child nutrition, which rely on contemporary nutrition records of these groups, were completed. Training of health personnel on this knowledge has started and 200 family doctors, nurses and midwives have received training in the regions of Shkodra and Kukes.

**Health education and promotion in family and community on safe motherhood.** Some of these promotional activities that were carried out during the period 2009-2011 included the following:

- Conducting of outreach activities for safe motherhood
- Media training on various problems of reproductive health like family planning, mental health, STDs, etc.
- The application of all forms of mass media such as talk shows on television, radio, articles in various newspapers of the country, different magazines on various topics related to mother and child health.
- Leaflets or booklets on breastfeeding, woman and baby when pregnant, brochures for the use of iodized salt, etc. which are distributed in districts communities and schools.
- Community information activities of organizations (projects) such as USAID, UNICEF, UNFPA, the American Red Cross, the Albanian Red Cross, Peace Corps, Albanian Caritas, etc., as well as, various NGOs operating in the field of health. Their activities have mainly focused on the importance of breastfeeding, the advantages of breastfeeding, family planning, prenatal and postnatal care, etc..
- Training of education cabinets' staff in 36 districts of the country on the mother's health problems.
- Since 2008, the Ministry of Health continues to publish the Journal of Reproductive Health, every three months, with the topic of mother and child health, teen pregnancy, nutrition, child development, etc.
- Training of personnel in health education cabinets districts and the community on issues of child nutrition, antenatal care and family planning.

## **Paragraph 2**

### **Family Planning**

After 1997, the Ministry of Health policies, which are based also on the recommendations of the Cairo Conference Action Plan, have focused on expanding family planning services at health centers and clinics integrated into mother and child care services provided in Primary Health Care.

Family planning services in Albania are currently provided in the public health system as organized into three levels of health care. Family Planning Centers that are integrated into urban and rural health care centers of primary health care **are supplied with several types of modern contraceptives, which are offered free of charge, they are staffed by trained personnel for the provision of modern contraceptive methods and the provision of information and advice on family planning.**

### **National Contraceptive Safety Strategy 2012 - 2016 was completed.**

The main purpose of National Contraceptive Safety Strategy 2012 - 2016 (NCSS 2012-2016) is to ensure that Albanian men and women can choose, obtain and use contraceptives and family planning services with high quality, whenever they want to plan their families. The aim of this strategy is to increase the consumption of modern methods of contraception by 30% compared to 2008 level.

The Ministry of Health has also the **Strategic Document and the Action Plan of the Reproductive Health Strategy 2010-2015, as approved on 17 November 2009 upon the with Order of the Minister of Health No. 620.**

This strategy document and action plan aims to cover areas of importance and priority for reproductive health in Albania, where the interventions and the improvement of the situation in each of them have to be integrated and comprehensive. These areas are:

- ✚ Safe motherhood
- ✚ Family Planning
- ✚ Child health
- ✚ Health for teens
- ✚ Reproductive tract cancers
- ✚ Sexually transmitted diseases
- ✚ Gender based and domestic violence
- ✚ Infertility

The strategy of reproductive health has the following purpose: meeting the needs of each individual, especially the needs of women, children and young people by means of providing qualitative, financially affordable services, which include all components of reproductive health, to influence on the improvement of the health status and to reduce morbidity and mortality.

Since 2011, national clinical protocols exist for the provision of family planning services. The protocol is based on the most recent practices and recommendations, which rely on evidence and, which are internationally and, which are adopted by a group of local experts according to the situation in Albania in the field of family planning. The protocol will ensure that service providers have the knowledge, tools and support necessary to provide family planning services in their workplaces. This is a standard and unified document for all family planning services in all areas of their provision beginning with ambulances, health centers up to the referral services – maternity hospitals.

### **Prevention of violence**

Having the improvement of mother and child health as a priority of its work, the Ministry of Health has carried out specific interventions, the aim of which has been to prevent the immediate and long-term consequences of domestic violence and particularly violence against women and children, where the prevention of injuries, illnesses and health consequences arising from the abuse of women and children is a priority.

The basic package of health services provided by family doctors in the health center includes already the provision of screening services, treatment and referral of cases of violence against women and children.

The Ministry of Health has established the reporting system for cases of violence in all health care institutions.

The Ministry of Health has drafted the following acts pursuant to the law:

- Order No. 13, dated 23 January 2008 on providing persons subject to domestic violence with the relevant prescription;



- Order No. 14, dated 23 January 2008, on recording of cases of domestic violence in the registry and in the individual file;
- Order No. 410, dated 12 July 2010, on the reorganization of health and psychosocial services for persons subject to domestic violence who have approached health institutions;
- Health staff routine screening form for domestic violence;
- Individual card for victims who accept abuse / violence
- Special prescription for the patient who has suffered violence

1,800 health workers (general practitioners, nurses and specialists) were trained during 2010-2011 on the challenges of domestic violence. 6 national trainers who serve as national capacities related to violence against women and children were trained in 6 regions and in the future they will train all health personnel across the country. At the same time, the guide on tracking gender-based violence by health workers has already been completed.

The Ministry of Health collects data from health institutions about cases of violence, which have been tracked by them. 146 cases, 84 of which are children, have been reported so far during 2011.

### **Updating of data on infant mortality**

For the first time, infant mortality, is already referred in the statistics in one digit figures. From 35.4 deaths per 1,000 live births in 1993 to 14.7 in 2004, while according to the statistics of the ministry of health this figure in 2011 was 8.7 deaths per 1,000 live births.

In regard to infant mortality Albania currently ranks among developed countries in the world and this is confirmed by the reports of prestigious international organizations like UNICEF, World Bank, WHO and UNFPA. Thus, the assessment as conducted by UNICEF, World Bank, WHO in 2011, **Levels & Trends in Child Mortality, Report 2011, Estimates Developed by the UN Inter-agency Group for Child Mortality Estimation**, showed that infant mortality in Albania has declined from 36 per 1,000 live births to 16 per 1,000 live births in 2010, and mortality rate under 5 years old has decreased from 40/1,000 live births to 14 per 1,000 live births and Albania has already passed into the group of countries classified as *Developed Countries*.

### **Measures and interventions for the future**

#### **Maternal health - Targets by 2015 according to the reproductive health strategic document 2009-2015:**

- **Maternal mortality to reduce to 11 deaths per 100,000 live births.**
- **Perinatal mortality to go down to 10 deaths per 1,000 live births.**
- **The prevalence of anemia among pregnant women (hemoglobin level vent 100 g / l) to decrease to less than 30% of them.**
- **The percentage of women who receive prenatal care to reach 95%.**
- **The percentage of pregnant women receiving 4 basic antenatal care checks to be >: 90%.**
- **The percentage of mothers who perform, at least, one check after birth to be 85%.**
- **Percentage of births attended by skilled health personnel to reach > 98%.**

- **Reducing the rate of obstetrical complications by 50%.**
- **The percentage of induced abortions to drop by 30%.**

**The following will be the main objectives regarding the care for pregnant women at birth and after birth:**

- Provision of quality care for women around birth including preconception care, pregnancy and postnatal care;
- Prevention and early detection of complications and dangerous signs during pregnancy, birth and after birth, in order to manage that all births are safe, assisted by skilled health personnel;
- Improving the nutritional status of women before, during pregnancy, at birth and after birth;
- Education, communication, information of women, family and the community on the importance of prenatal care for women during pregnancy, birth and after birth;
- Improving the management, supervision, monitoring, analysis and information about maternal health.

**Key interventions** to achieve these objectives will include:

- On the job training (continuing education) to strengthen the skills of doctors and midwives about preconception and prenatal care and the evidence based care during and after pregnancy for mother and newborn baby;
- Drafting of standard protocols for preconception care, antenatal and post-natal care for primary health care and hospital staff.
- Increasing of financial support for health services for mothers in poor areas, rural areas, marginalized and vulnerable groups (Roma population, single mothers with children, etc.);
- Strengthening of nutrition services for women involved in prenatal and postnatal services integrated in the basic package of PHC;
- Establishing mechanisms for women and community involvement in quality improvement processes and their participation in the drafting and implementation of programs for maternal health;
- Establishment of a unified system of indicators for assessing the performance of maternal health care services;
- Organizing of campaigns in media and community regarding the special needs during pregnancy, breastfeeding, getting proper nutritional substances, safe birth, leave, post-natal care;
- Multi-sectoral joint interventions in collaboration with other key sectors such as education, labor and social affairs, agriculture, etc., as well as, partnership to mobilize all sectors of society and communities to address the main health problems of women and children in areas, which have the lowest socio-economic indicators and high infant and maternal mortality rate;
- Increase efforts concerning promotion, communication and education in the community regarding mother and child health. The implementation of projects with the community involvement concerning care for women during pregnancy, care for the child welfare and nutrition, etc.
- Encouragement of all maternity hospital services in district hospitals to implement the "Child Friendly Hospitals" Initiative of WHO / UNICEF about the 10 steps of breastfeeding;

- Training of health personnel regarding child nutrition and nutrition of pregnant woman;
- Continuous monitoring and evaluation of the nutritional status of children and pregnant women.

### **Paragraph 3**

#### **Law implementation**

**Environmental Inspectorate**, in order to improve the enforcement of law, has significantly increased the number of controls moreover in industrial sites and in this context has been closely cooperating with the inspectorates and other state institutions.

**During the period 1 May 2012 - 1 September 2012**, concerning the violations for failing to compliance, violations of conditions of the environmental permission and failure to liabilities arising from environmental legislation, Environmental Inspectorate has given **135 sentences with fine, with a total value of 46.390.000 ALL.**

From the total number, **85** fines with a total value of 3.250.000 ALL are imposed on private subjects for not implementing the legal requirements, referring to the Law no. 9774, dated 12.07.2007 “On the assessment and management of noise in the environment” and **10** fines with a total value of 6.000.000 ALL are imposed on private subjects for illegal dumping of non-treatment water.

Enforcing the law, with the Proposal of Minister of Environment, Forestry and Water Administration and Minister of Interior the Council of Ministers has approved Normative Act No. 2, dated 25.07.2012 “ On the establishmen of the Task - Force for taking immediate measures to subjects who generate noises beyond limit norms in urban, touristic and seacoastal areas ”.

Pursuant to the **law no. 10279, dated 20.05.2010 “On the administrative offenses”**, the above structures have continued the pursuit of legal procedures for collection of fines through the Bailiff’s Office, after the expiration of the legal deadline for administrative complaint, as well as after the issuance of the order for execution of the executive title, from the competent courts.

**During the period 1 January 2012 - 1 September 2012**, concerning the violations for failing to compliance, violations of conditions of the environmental permission and failure to liabilities arising from environmental legislation, Environmental Inspectorate has given **246 sentences with fine, with a total value of 96.410.000 ALL.**

The following contribution aims to give a clear picture of progress done by the MoEFWA during **September 2011 – April 2012** in the implementation of SAA and fulfillment of recommendations arising from other strategic documents, as well as in the harmonization of

Albanian environmental legislation with EU legislation, giving a concise and complete overview for each of the following sub-chapters:

- Horizontal legislation;
- Air Quality;
- Water Management;
- Industrial Pollution Control and Risk Management;
- Chemicals;
- Environmental Noise
- Food safety
- Accidents

### **Key achievements**

In order to further improve the progress achieved in several fields of environment, as well as to address the remarks of the EC Progress Report 2011, **during September 2011 – April 2012**, the Ministry of Environment, Forestry and Water Administration, (MoEFWA) has taken concrete actions, which have affected in the approximation and implementation of the environmental legislation in Albania.

Progress is achieved in the approximation of the national legislation with the environmental *acquis*.

**During September 2011 – April 2012**, the MoEFWA has been working on the drafting of several legal acts, which will transpose some of the base EU Directives in the field of environment, where **10 of them have been approved** and the others are in their final phase.

With the adoption of the **law no. 10448, dated 14.7.2011 “On the environmental permitting”** and **DCM no.16, dated 4.01.2012 “On public access to environmental information”**, have been widen the rights of public participation in the environmental decision-making process, as well as public access to environmental information. In this context, all the new environmental legislation has been drafted in cooperation and continuous consultation with stakeholders (civil society, business, local government, public etc.), and in collaboration with Line Ministries.

As, stated also in the EC Progress Report 2011, progress is done as regards nature protection, where with the new proclamations **the protected Areas in Albania cover 15.1 of the country’s territory**.

In order to protect the environment and human health, during this period the structures of the MoEFWA, responsible for law implementation in the field of environment have significantly increased the number of controls and have been cooperating closely with the inspectorates and other state institutions. To be stressed is the fact that some of the fines for not implementing the legal requirements for environmental management of urban waste have

been imposed directly to the Authority of Local Government Units. Also, special attention is given to the import of waste from other countries to Albania.

Also, progress is achieved in improving air quality monitoring with respect to methodology and monitoring equipments, where have been installed 4 automatic stations for air monitoring in the cities of Durres, Shkoder, Vlore and Korçe (before the monitoring in these cities was conducted through manual stations), as well as has been set the online connection for the transmission of the monitored data from all the automatic stations.

### **Horizontal Legislation**

As stated at the EC Progress Report 2011, as regards the field of environment, **there has been some progress in the area of horizontal legislation.**

During the second half of 2011 the Albanian Parliament has approved 3 important laws, as follows:

- **Law no. 10431, dated 9.6.2011 “On the environmental protection”**, which transposes the environmental protection principles from the Treaty and which are common to a large number of environmental *acquis* directives. It also transposes a number of definitions, which are again common to a number of environmental directives. This Law transposes Directive 2004/35/EC on environmental liability with regard to the prevention and remedying of environmental damage as amended by Directive 2006/21/EC and Directive 2009/31/EC. It also provides the clear legal basis and framework for further transposition of a large number of environmental directives that are relevant to the protection of the environment from human activities. **During September 2011 – April 2012**, the MoEFWA has been working to draft the bylaws required from this law in order to enable its implementation at the beginning of 2013.
  
- **Law no. 10440, dated 7.7.2011 “On the environmental impact assessment”**, which fully transposes the Council Directive 85/337/EEC of 27 June 1985 “On the assessment of the effects of certain public and private projects on the environment” as amended by Directive 97/11/EC, Directive 2003/35/EC and Directive 2009/31/EC. The adoption of this new law will further improve the quality of EIA in Albania. **During September 2011 – April 2012**, the MoEFWA has been working to draft the bylaws required from this law in order to enable its implementation at the beginning of 2013.
  
- **Law no. 10448, dated 14.7.2011 “On the environmental permitting”**, which is one of the most important new laws for the environmental protection in Albania. It establishes a new and a special procedure for environmental permitting in Albania and splits the existing permitting process which at the moment is included in the EIA procedure, in this context that also establishes a new standard for the environment in

Albania. It establishes measures for permitting the operation of certain groups of polluting activities, measures designed to prevent or, where that is not practicable, to reduce emissions to the air, water and land from such activities, including measures concerning waste as well.

The law establishes technical criteria for the environmental permitting which built a strong review system raising thus the level of the environmental protection in Albania. This Law transposes Directive 2008/1/EC “Concerning integrated pollution prevention and control” (IPPC) as amended by Directive 2009/31/EC, and Directive 2001/80/EC “On the limitation of emissions of certain pollutants into the air from large combustion plants” as amended by Directive 2009/31/EC and many other permitting principles for a vast number of EC/Directives. The implementation of this law begins in 2013.

**Contrary to that stated at the EC Progress Raport 2011, the draft law “On the strategic environmental assessment”**, which aims to fully transpose the Directive 2001/42/EC of the European Parliament and the Council of 27 June 2001 “On the assessment of the effects of certain plans and programs on the environment (SEA)”, **is already prepared**. This draft law aims to establish a specific procedure for protection and consideration of the environment in development planning phase. The draft is being distributed for consultations to other ministries and has undergone a public consultation and hearing **on 10 April 2012**, before sending it for adoption at the Council of Ministers. The MoEFWA had planned to adapt the law within 2011 but due to a suggested revision the draft has further improved. The approval procedure of this law is being planned for the first half of 2012. This law is the most important one for the integration of the environment into other sectors since in early stages of the planning process.

Also, keeping in mind the remark of the Progress Raport 2011, where is stated that lack of public awareness and proper consultation on legislative initiatives hampers transparency and enforcement, **the MoEFWA during September 2011 – April 2012 has worked to improve the existing legislation and has widen the rights of the public participation in the environmental decision-making**.

With the adoption of the **law no. 10448, dated 14.7.2011 “On the environmental permitting”** has been established also a new procedure and a new right for the public participation.

This law undermines that for each project subject of permitting the public participation shall be conducted separately from the EIA process as it is stipulated at the existing permitting procedure.

Also, is approved **DCM no.16, dated 4.01.2012 “On public access to environmental information”**, which fully transpose Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information. This DCM **(i)** ensures public access to environmental information, **(ii)** obligates relevant public authorities

to respect this right, both in terms of time, in terms of form, and content, as well as (iii) determines the way how this information should be delivered.

This DCM ensures that public authorities possess and update environmental information relevant to their functions and that “mandatory systems are established so there is an adequate flow of information to public authorities about proposed and existing activities which may significantly affect environment”. This is an important obligation of public authorities which requires the creation of the basis for information provision and well-functioning information systems.

In order to fulfill the obligations arising from the legislation relating to the public participation in decision-making process, have been undertaken a number of notifications and have been organized a number of meetings for public hearings regarding all legal acts that MoEFWA has drafted. Here we can mention:

- Roundtable with nonprofit organizations to review the strategy and action plans for the Aarhus Convention, which was held **on 14 February 2012**.
- Two roundtables with nonprofit organizations to review the list of non-hazardous waste that can be imported in Albania (under the so-called green list). The Ministry aims **to reduce this number in 30 types of waste, instead of 56 that it actually**.
- Public Hearing regarding the discussion of 3 draft DCMs prepared from the MoEFWA in response to the request of three companies “AMA recycling shpk”, “Everest shpk”, “Zodiak shpk”, for export of waste that will be used in the recycling process. These public hearings have been organized from MoEFWA in the premises of these companies, in order to better inform the public on the used technology and processes.

Public consultation is one of the main requirements for the grant of an import permit.

After the consultation is taken into account the opinion of all stakeholders involved, which affects the approval or rejection of the import permit.

- Public hearing for the **draft law “On the strategic environmental assessment”**, held at the MoEFWA, on **10 April 2012**. Representatives of several NGOs have given their recommendations on some specific provisions of the draft. Some relevant recommendations were taken into consideration and reflected at the draft, meanwhile for other recommendations a detailed explanations report was sent to the participants. The NGOs and OSCE representatives have appreciated the consultation procedure developed fully in line with the legislation. The contribution of this public hearing is published at Aarhus Information Centre website [www.aic.org.al](http://www.aic.org.al).

In respect of legal requirements on the public hearing for the Devoll Hydropower, in collaboration with the developer of the project, the MoEFWA has organized 3 public hearings, which are held on 12, 13 and 15 September 2011, in the project's area in Gramsh.

In order to raise public awareness and their rights for access in environmental information and decision making for environmental issues the MoEFWA with the support of World Bank project has prepared the following manuals:

- Practical manual according the Environmental Information;
- Practical manual according the Public Participation on Environmental Issues;
- Practical manual according the access on justice in Environmental Issues;
- Guide: How you can find Environmental Information in Albania;
- Guide for the local authorities: How you can manage the public hearing for the activity that will be held in your territory;
- Guide for the business target groups: How you can organize the public hearing for your activity.

### **Air Quality**

As regards Air Quality, **on 3.11.2011**, in the framework of ratification and implementation of relevant Protocols of the Long Range Transboundary Air Pollution Convention (CLRTAP 1979), is approved **Law no. 10476, dated 3.11.2011 “On the adhering of the Republic of Albania on the Protocol to the 1979 Convention on Long-range Transboundary Air Pollution to abate Acidification, Eutrophication and Ground-level Ozone”**.

Also, in order to fulfil the obligations arising from the EC Progress Raport 2011, where is stated that has been no progress as regards air quality, **during September 2011 – April 2012**, MoEFWA has taken a series of measures, as follows:

- In collaboration with the project “Technical Assistance for the Strengthening of Capacities of the Ministry of Environment, Forestry and Water Administration for Law Drafting and Enforcement of National Environmental Legislation” (SELEA project 2012 - 2015), is planned drafting of the **DCM “On approval of the National Startegy on Air Quality”** and **Specific Implementation Plans for the Air Directives**.
- Is prepared **Draft Decision “On the quality of certain liquid fuels for thermal use as well as the use on water transport means (sea, river, lake)”**. Actually, it is in the



Line Ministries for comments. This draft DCM is foreseen to be approved within July 2012.

- With the assistance of the Ministry of Environment, Land and Sea of the Republic of Italy, **on January 2012**, has been compiled the **first draft of the law “On the protection of air from pollution”**, which will transpose provisions of the Directive 2008/50/EC of the European Parliament “On air quality of environment and a cleaner air for Europe”.

On request of the MoEFWA has been conducted from the EC experts the compliance check of the new version drafted. The drafting of the **new law “On the protection of air from pollution“**, is included in the working plan of the SELEA project.

- In the frame of the cooperation between the Ministry of Environment, Land and Sea of the Republic of Italy and the MoEFWA, the Techno Consulting Company is still providing support to our Ministry regarding all activities related to air pollutant emission inventories and air quality planning on local/urban scale, with particular attention to urban and industrial areas.
- **On 12 April 2012**, has been submitted to the Centre for Emission Inventories and Projections (CEIP), the table of Nomenclature for Reporting (NFR), with the results of the air emission estimated for 2009.  
The report explaining used activity data and applied methodology, as well as the Informative Inventory Report (IIR), will be ready by the end of June 2012.
- **On 15 November 2011**, is held **in Tirana**, the second workshop “On improvement of air quality in Tirana”. This workshop was organized by the Ministry of Health and the MoEFWA, with the participation of representatives from Tirana Municipality, World Health Organization and other stakeholders.

**Regarding the monitoring of air quality**, during **September 2011 – April 2012**, progress has been made in improving air quality monitoring with respect to methodology and monitoring equipments.

**On October 2011**, in the framework of CESMA project have been installed 4 automatic stations for air monitoring in the cities of Durres, Shkoder, Vlore and Korçe (before the monitoring in these cities was conducted through manual stations), as well as has been set the online connection for the transmission of the monitored data from all the automatic stations.

Also, experts from the Agency of Environment and Forestry (AEF) together with experts from the Institute of Public Health (IPH) are taking part in several trainings organized by CEMSA project with foreign experts (i) on the control assurance of the quality of equipments

that monitor the indicators of air quality, **(ii)** on the control and service of air monitoring equipments, **(iii)** on collection, assessment and reporting of the data.

Apart from the above mentioned trainings, the AEF in cooperation with CEMSA project is working to establish at the premises of AEF the database on the air quality, based on the requirements of the European Environment Agency for the reporting of data on air quality, as well is working to validate the data of 2011.

AEF during **June 2011 – January 2012**, based on DCM no. 1189, dated 18.11.2009 “On the rules and procedures for the drafting and implementation of the National Program of Environmental Monitoring”, **has drafted the National Program of Environmental Monitoring for 2012**, which is approved by the Minister of MoEFWA. The project – proposals from the monitoring institutions are gathered and are being evaluated from the MoEFWA.

**During January - April 2012** the commission for the National Program of Environmental Monitoring, which is established in the MoEFWA has reviewed the project proposals and has proposed the monitoring institutions for 2012.

Also, **on January 2012** has been reviewed the State of Environment Report 2010 and published by AEF.

### **Water Management**

In Albania the main institutions responsible for water management are the MoPWT and the MoEFWA. The MoEFWA is responsible for administration of water resources, and has in its structure the General Directory of Water Administration (GDWA), which is responsible for drafting of water management policies, as well as plays also the role of the Technical Secretariat of the National Water Council.

Part of this directorate are the Fishery Directorate, Directory of Water Policies and Technical Directory of Water Administration.

In order to improve Water Resources Management in Albania, as well as to fulfill the obligations arising from the EC Progress Report 2011, where is stated that “Transposition and implementation of key EU water legislation is at an early stage”, the MoEFWA from **September 2011 till April 2012**, has undertaken several steps towards the improvement of legislation:

- **Has been approved DCM no. 643, dated 14.09.2011 “On the approval of the National Cross-Sector Strategy of Water Supply and Sanitation Services”.** In order to implement this strategy, is prepared an Action Plan which reflects the 5 objectives of the Mission’s Strategy (2011 - 2017), Priority Measures and Strategic Goals to be achieved in this period, also the Strategic Objectives, Measures to be undertaken, and the responsible Institutions.
- **Has been approved the Decision of the National Water Council no.1, dated 28.03.2012 ”On the approval of the use of water resources for hydro energy from Devoll Hydropower”.**

Also, **during 2012** the MoEFWA has planned to approve a number of normative acts, which will transpose the appropriate EU Directives such as Water Framework Directive 2000/60/EC, Directive 2006/118/EC “On the Protection of Groundwater Against Pollution and Deterioration, Directive 2007/60/EC “On the Assessment and Management of Flood Risks”, Directive 91/271/EEC “Concerning Urban Waste Water Treatment”, Regulation EC/1882/2003 and Regulation EC/1137/2008, Directive 2008/105/EC “On Environmental Quality Standards in the Field of Water Policy”.

- **Draft law “On Integrated Water Resources Management”**, which will transpose Water Framework Directive 2000/60 of the European Parliament of 23 October 2000. Actually, has finished the process of collection of comments from the Line Ministries, which are being reflected in the final draft. This draft law is foreseen to be approved by June 2012.
- **Draft Decision of the National Water Council “On the approval of Mati River Basin Management Plan”**, which will transpose the Water Framework Directive 2000/60 EC. It is foreseen to be approved by June 2012.
- **Draft DCM “On the Content, Development and Implementation of National Water Strategies of River Basin District Management Plans and of Flood Risk Management”.**
- **Draft DCM “On Urban Waste Water Treatment”.**
- **Daft DCM “On Environmental Quality Norms for Surface Water Bodies”.**
- **Draft DCM “On the List of Priority Substances in the Field of Water Policy”.**

**On 28.12.2011 and 12.04.2012**, in the framework of the implementation of the **Memorandum of Understanding between Albania and Montenegro**, are hold two meetings between the Governmental Commissions. These meetings are focused on the “Implementation of the measures to improve the water regime in the Shkodra Lake and Buna River” related to the post-flood situation.

**Also, in order to strengthen administrative capacities in the field of water management, during September 2011 – April 2012**, the staff of GDWA has participated in different workshops, dealing with the management of ecosystems, management of waste water, Water Framework Directive adaptation for monitoring of the waters, flood management, etc.

With the aim to strengthen capacities and improve the quality of the water resources management at the local levels, the GDWA monitored the activities of River Basin Agencies in the field of water resources and river gravel use. The monitoring process was realized together with the assistance of the Task-Force, which is a structural body of the River Basin Council.

In general, has been enforced the collaboration with other water resources management related institutions, in the field of wastewater treatment, water supply, irrigation, hydropower, urban wastewater collection and treatment, etc.

### **Industrial Pollution Control and Risk Management**

In order to improve the progress achieved in the field of industrial pollution control and risk management, **during September 2011 – April 2012**, the MoEFWA has worked on the **draft law “On the accidents control from risks related to dangerous substances”**, which will transpose Council Directives 96/82/EC, Directive 2003/105/EC, Directive 1999/314/EC, Directive 91/692/EC.

In this context is set up a Working Group, part of which are also the representatives of the MoI, MoH, MoLSIER and MoETE. During this period are hold several meetings, where is mainly discussed on the duties of each of the Ministries. Also, is cooperated closely with SELEA project for final draft of the this law. This law is foreseen to be approved within 2012.

During this period the MoEFWA has prepared also the **draft DCMs on “On Safety Reports” and “On Emergency Planning”**, which will be approved after the entry into force of the above mentioned law.

Also, is prepared the **draft decision “On definition of the criteria for limitation of the information that will be included in safety reports”**. This draft decision is in the process of discussion with the Line Ministries.

## **Chemicals**

The MoEFWA pursuant to the legal initiatives foreseen in NPISAA 2010 - 2014, and in accordance with the requirements of the **Law no. 9108, dated 17.07.2003 "On chemical substances and preparations"**, during **September 2011 - April 2012**, has worked on the drafting of the following legal acts:

- **Draft Decision "On the approval of substances and chemicals, manufacture, placing on the market and use of which is restricted or prohibited"**, which fully transposes Annex XVII "Restrictions on the manufacture, placing on the market and use of certain dangerous substances, preparations and articles", of the Regulation no. 1907/2006 of the Council of Europe, dated 18 December 2006 on the Registration, Evaluation, Authorization and Restrictions of Chemicals (REACH). The responsible institution for preparation of this draft decision is MoEFWA in collaboration with MoETE, MoH, MoAFCP, MoPWT, MoF and MoJ. This draft decision has been sent for comments to the Line Ministries. Its approval is foreseen in June 2012.
- **Draft Decision "On Persistent Organic Pollutants"**, which transposes Regulation of the European Parliament and Council (EC) No. 850/2004 of 29 April 2004 on Persistent Organic Pollutants. The responsible institution for preparation of this act is MoEFWA in collaboration with MoETE, MoH, MoAFCP, MoPWT, MoF and MoJ. This draft decision has been sent for comments to the Line Ministries. Its approval is foreseen in June 2012.
- **Draft law "On biocide products on public health"**, which will transpose Directive of the European Parliament and Council (EC) No. 98/8/EC of 16 February 1998 regarding placing on the market of biocide products (31998L0008, *OJ L 123, 24.4.1998, p. 1–63*). The responsible institutions for preparation of this draft law are MoH in collaboration with MoAFCP. The final draft is prepared during 2011 and has been sent for comments to the Line Ministries. Its approval is foreseen within June 2012.
- **Draft Regulation “On the protection of animals used for experimental and other scientific purposes”**, which will partially transpose Directive 86/609 EEC that

defines the specific criteria's in the welfare of laboratory animals. The responsible institution for preparation of this act is MoAFCP. The final draft is prepared during 2011 and has been sent for comments to the Line Ministries. Its approval is foreseen within June 2012.

- **Draft/act "On Import and export of hazardous substances"**, which will transpose Regulation of the European Parliament and Council (EC) No. 689/2008 of 17 June 2008, related to import and export of hazardous chemicals. The responsible institution for preparation of this act is MoEFWA in collaboration with MoETE, MoH, MoAFCP, MoPWT, MoF and MoJ. Is foreseen that the first draft should be submitted by the end of March 2012. Its approval is foreseen within September 2012.
- **Draft/act "List of hazardous substances which by their nature pose a serious risk to life and human health and the environment"**, which will transpose Council Directives 76/769/EEC, 79/663/EEC, 82/806/EEC, 82/828/EEC, 83/264/EEC, 85/467/EEC, 85/610/EEC, 89/678/EEC, 89/677/EEC, 91/173/EEC, 91/338/EEC, 91/339/EEC. The responsible institution for preparation of this act is MoEFWA in collaboration with MoETE, MoH, MoAFCP, MoPWT, MoF and MoJ. Is foreseen that the first draft should be submitted by the end of March 2012. Its approval is foreseen within September 2012.

With the assistance of SELEA project, is foreseen that within 2013 will be prepared the new draft law on chemicals, which will transpose the Regulation no. 1907/2006 of the Council of Europe, dated 18 December 2006, on the Registration, Evaluation, Authorization and Restrictions of Chemicals (REACH).

## **Environmental Noise**

With the aim to protect health and environment from noises, as well as in order to fulfill the obligations arising from the EC Progress Report 2011, where is stated that "There is no progress as regards environmental noise policies", **during September 2011 - April 2012**, the MoEFWA has worked on the drafting of the following guidelines:

- **Draft Guideline "On indicators, assessment methods, rules and technical requirements of the methodology for assessing the level of noise, and for verification of the interventions made to resolve and improve the situation"**, which will partially transpose Directive of the European Parliament and Council (EC) No. 2002/49/EC of 25 June 2002 "Assessment and management of environmental noise". The responsible institution for preparation of this guideline is MoEFWA in collaboration with MoETE, MoH, MoPWT. Is foreseen that the first draft should be submitted by the end of March 2012. Its approval is foreseen within December 2012.

- **Draft Guideline “For minimum requirements for strategic noise mapping”**, which will partially transpose Directive of the European Parliament and Council (EC) No. 2002/49/EC of 25 June 2002 “Assessment and management of environmental noise”. The responsible institution for preparation of this act is MoEFWA in collaboration with MoETE, MoH, MoPWT. It is foreseen that the first draft should be submitted by the end of March 2012. Its approval is foreseen within December 2012.

Enforcing the law, with the Proposal of Minister of Environment, Forestry and Water Administration and Minister of Interior the Council of Ministers has approved Normative Act No. 3, dated 25.07.2012 “ On the establishment of the Task - Force for taking immediate measures to subjects who generate noises beyond limit norms in urban, touristic and seacoastal areas ”.

### **Developments on Food Safety**

During January 2012 – August 2012 several legal acts on food safety policy were adopted and are aligned with the EU *acquis*. Changes in the administrative structure of the MoAFCP guarantee the separation of policy-making and law-drafting functions from implementing functions. The Ministry of Agriculture, Food and Consumer Protection has continued with the strengthening of **administrative capacities**, through systematic trainings, such as workshops, study visits and participation in different conferences.

#### ***- Legal Framework and Approximation of Laws***

In the framework of the NPISAA 2010-2014, and Article 70 concerning approximation of legislation and Article 95 “Agriculture and the agro-industrial sector” of the SAA, and in order to address the EU recommendations, the following legal acts have been approved:

1. Order nr.3 dt.4.01.2012 “On establishment of procedure on official sampling for the monitoring of certain substances and residues thereof in products of animal origin”, based on Commission Decision 98/179/EC;
2. Ordinance nr.7 dt. 19.3.2012 “On usage food additive “E 960 Steviol glycosides” in foodstuffs” based on regulation 1131/2011/EC;
3. Order of Minister no. 168 dated 24.5.2012 “On approval on BIP-s, where the veterinary and phytosanitary inspections on food and feed are carried out, in Republic of Albania”;
4. Order of Minister no.178 dated 04.06. 2012 “On approval of regulation “On lists of animals and products to be subject to controls at Border Inspection Posts”;
5. Order of Minister no.209 dated 15.06.2012 “On approval of regulation “On laying down the methods of sampling and analysis for the official control of the levels of lead, cadmium, mercury, inorganic tin, 3-MCPD and benzo(a)pyrene in foodstuffs”.

#### ***- Institutional framework***

The Directorate of Food Safety and Consumer Protection Policies (DFSCPP), has drafted the legal framework in order to achieve a high level of protection of human health and consumer interests. A series of trainings in the field of legislation and risk management analysis, and the outline of a clear plan for staff continuing qualification are foreseen. All staff of DFSCPP has been trained under Albanian Training Institute of Public Administration, TAIEX, different projects like IPA 2009 “Consolidation of the Food Safety System in Albania”.

The sector of Aquatic Products, during the reporting period organized two important practical and theoretical trainings.

1. Practical and theoretical training on “Sanitary survey principles, drafting and approval” (16 – 20 July 2012), in order to fulfil all EU requirements laid down in point A.6 of Chapter II of Annex II to Regulation (EC) No 854/2004, for classifying a production area. In this regard was draft the sanitary survey for the live bivalve mollusc’s production area of Butrinti lagoon.
2. Practical and theoretical 30 July – 3 August 2012 on the Standard operation protocols, HACCP plan Validation protocol, registration document

**National Food Authority (NFA)** is receiving from March 2011 technical assistance from IPA 2009 program on legislation, risk analysis, law enforcement and inspection, risk communication and consumer awareness in order to strengthen its legal and administrative capacities and to increase the working efficiency of the food safety system in the country. During the period May-August 2012, the following training activities have been provided by the International Experts of this Project.:

No.	Subject	Period	Nr. of participants
1.	Training of staff involved in legal drafting	2 days (9-10 May)	11 participants from MoAFCP and NFA HQ
2.	Prerequisite Programs and HACCP	2 weeks (7 – 18 May)	Two groups (39 participants, 2 from each Region + central staff of NFA)
3.	Methodologies of official control and procedures, including the SOPs of the Multi-annual Official Controls Plan	8 days 22 – 30 May	Two groups (32 participants, 2 from each Region + central staff of NFA)
4.	Workshop on food chain information*	1 days 22 May	43 participants from each Region + central staff of NFA
5.	Risk Assessment and Case Studies	3 days 25-28 June	13 participants, 5 from scientific panel + central staff of NFA

\* Financed by TAIEX

Additionally, in the framework of EFSA Pre-accession Assistance Programme (2013) two NFA experts from the General Directorate have participated in the activities as cited below:



- EFSA Scientific Network for RA of GMOs - 3 - 4 May 2012, Parma, Italy
- EFSA Scientific Colloquium XVII on low dose response in toxicology and risk assessment, organized in Parma, 14-15 June 2012

**Data on inspections conducted by the Food, Feed (Non-animal origin) and Business Operators' inspection Unit during period 1 May-31 July 2012:**

	<b>Nr. of inspections</b>	<b>Activities suspended</b>	<b>Administrative measures (Fines)</b>	<b>Value in lek</b>	<b>Destroyed in quantity (quintal)</b>
MAY	1840	2	10	5.010.000	100,75
JUNE	1462	43	4	1.500.000	116,745
JULY	1393	2	11	2.700.000	54,146
<b>TOTAL</b>	<b>4695</b>	<b>47</b>	<b>25</b>	<b>9.210.000</b>	<b>271,641</b>

***- Economic and social impact***

The inspection has had the following impact on food safety:

- After compiling check-lists from the Unit of Plant Protection and Agricultural Inputs in the General Directorate, inspections on businesses operating in the field of plant protection and agricultural inputs were carried out more thoroughly, in full respect of the legislation in force.
- The number of entities with licence has increased, leading to the minimization of informality.
- Significant improvement is seen in terms of preserving agricultural inputs as well as filing and maintaining relevant documentation.

**Data on the inspections conducted from the Food, Feed (animal origin) and Business Operators' Unit.**

<b>QARK</b>	<b>Inspections</b>	<b>Fines nr.</b>	<b>Activities suspended</b>	<b>Goods destroyed in quintals</b>
DIBER	49	0	2	0,92
VLORE	172	1	6	2,5
SHKODER	221	0	5	0
KORCE	201	0	0	1,344
FIER	131	22	0	0
GJIROKASTER	171	0	1	0
TIRANE	931	0	6	105,32
KUKES	69	0	1	0,41
LEZHE	221	0	0	0
BERAT	227	1	1	0,37
ELBASAN	131	0	0	12
DURRES	178	0	2	0
<b>TOTAL</b>	<b>2702</b>	<b>24</b>	<b>24</b>	<b>122,864</b>

## Accidents

### Recent developments in legislation

Among the recent developments that have been made in legislation, changes are made in the Road Code, approved by Law no. 10448, dated 05.12.2011, "On some amendments and additions to the Law no. 8378, dated 22.07.1998 ", " Road Code of Republic of Albania "as amended. These changes consist of re-evaluation of behavioral norms for the road users as well as the consistency of our legislation with that of the European directives in this field.

### Implementation and statistics

With the implementation of changes to the Road Code, attention has been devoted to automatic control road traffic to provide a more complete observation throughout the country. In order to develop and introduce methods and procedures to follow all road traffic, automatic control operations are ensuring the proper implementation and use of the digital system "SCOUT" for speed measurement across the country.

In cooperation with the Ministry of Education (Pre-University Education Directorate) it has been prepared and implemented a curriculum for elementary and 9 years old. For the implementation of this program in cooperation with the mission PAMECA, Police Training Center conducted training of trainers for schools and police employees.

In order to analyze accidents and conduct road safety researches is has been carried out the implementation of the electronic system of the administration of fines "E-FINE" This system and that of Accident Information (SIA) serves as data analysis and programming for the prevention of road accidents.