



**REPUBLIC OF ALBANIA**  
**MINISTRY OF ENVIRONMENT, FORESTRY AND WATER MANAGEMENT**  
**Environmental Inspectorate**

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**Law No. 8934, dated 5.09.2002, “ On Environmental Protection ”**

Article 22

**Importation of hazardous substances and waste.**

1. The importation of hazardous substances and wastes, as well other waste or residues, to the Republic of Albania, for the purpose of storage, depositing or disposal, is banned.
2. The Council of Ministers approves the list of hazardous substances and wastes and other wastes and residues, whose importation is banned, according to point 1 of this Article, based on the Minister of Environment proposal.
3. The importation of any kind of waste for use, elaboration or recycling purposes is made according to the rules, procedures, quantities and deadlines approved by the Council of Ministers, on Minister of Environment’s proposal.

Article 23

**Transit transportation**

The transit transportation of hazardous wastes and substances through the territory and inland waters of the Republic of Albania is allowed only if it is provided for in international acts where the Republic of Albania is a Party. In such cases, the permit for transit transportation is issued by the Council of Ministers, in compliance with the safety regulations, approved by it and proposed by the Minister of Environment, in cooperation with the relevant ministers, depending on the type of hazardous substances and wastes.

Article 82

**Sanctions**

1. When the violations of this law constitute a penal act, the Environmental Inspectorate asks for penal proceeding.
2. The violations listed below, when not constituting a penal act, are regarded as administrative contraventions in the field of environmental protection:

- a. The transit transportation, without permission, of hazardous wastes and substance through the territory and inner territorial waters of the Republic of Albania;
- b. The importation of hazardous wastes and substances for the purpose of storage, depositing and disposal;
- c. The violation of the defined safety rules during the transit transportation of hazardous wastes and substances;

**Law No. 9010, dated 13.02.2003, “On Environmental Treatment of Solid Waste”**

Article 5

**Duties of state bodies**

1. The Ministry of Environment, in conjunction with the regional agencies and the Environmental Inspectorate are responsible for setting up a system of environmental management of waste and monitoring of its implementation at all stages and levels.

2. State bodies, central or local, in conjunction with the Environmental Ministry have the following duties:

- a) to design national and local plans for environmental waste management.
- b) to design methodologies for the environmental treatment of waste in accordance with the kind and nature of waste;
- c) to make available and ensure efficient use of financial resources;
- d) to continuously monitor and control waste generating activities; to control subject engaged in the transportation, recycling, processing and elimination of waste in the area of their jurisdiction.

Article 10

**Obligations of waste holders**

1. Waste holders must ensure:

- a) preservation of waste in suitable conditions according to amount, origin, properties, etc;
- b) separation of hazardous waste from other waste, safe preservation of waste for which there is no manner of processing and elimination;
- c) the keeping of records of waste according to their classification, registering information on amount, composition, the periodicity of collection and transportation, information on preservation and disposal of waste to designated places;
- d) the separate collection of hazardous waste and its temporary preservation in special containers, its packaging, labeling and transportation in accordance with international rules and the standards adopted in the Republic of Albania.

## Article 15

### **Processing and elimination of army waste**

1. Waste created by army divisions, military installations and military enterprises are processed and eliminated by these very subjects in accordance with requirements set in the military regulations.

2. The Ministry of Defense is responsible for ensuring the implementation of regulation governing waste management and elimination in the army.

## **IMPORTATION, EXPORTATION AND TRANSITING OF WASTE**

### Article 26

#### **Import license**

It is prohibited to import into the Republic of Albania waste for purposes of conservation, depositing or elimination.

### Article 27

#### **Waste exportation**

1. Physical or legal entities that desire to engage in waste exportation are obligated to obtain waste export licenses. The Environmental Minister defines the rules for license application, review and approval rules as well as the list of supporting documentation.

2. Waste exportation becomes lawful subject to approval by the authority of the importing country and of the countries on whose territories waste will be transited.

### Article 28

#### **Waste transiting**

1. Transiting of waste in the territory of the Republic of Albania is subject to permits from the Environmental Minister in accordance with the rules and regulations approved by him and the Minister of Transports and Telecommunications.

2. Waste transiting is not lawful without the approval of the responsible authorities of the importing country, the exporting country and the countries on whose territories waste is transited.

#### Article 29

### **Violation of waste disposal regulation**

1. In the event of violation of regulations regarding import, export and transiting of waste, the customs authorities and border police are entitled to freeze waste movement and notify the Ministry of Environment and the Ministry of Public Order.

2. The Ministry of Environment is the national authority and coordinator of all international agreements on waste management to which the republic of Albania is a party.

#### Article 31

1. The activity of waste holders is subject to control by the Environmental Inspectorate, the licensing authority, the State Sanitation Inspectorate and the Municipal Inspectorate.

### **SANCTIONS**

#### Article 32

1. In circumstances of violations of this law qualifying as criminal offences, the Environmental Inspectorate is authorized to bring legal charges against the violator.

2. The violations of the provisions of this law when not a criminal offence, represent administrative infringements upon the environment:

### **National Environmental Strategy**

#### **Hazardous Waste**

Recently, the legislation for the solution of the hazardous waste problem in Albania has been proposed. Nevertheless, actually there exist no reliable data dealing with the real level of the produced hazardous waste.

The latest studies related to the preparations for the construction of a standard-wise projected site for the gathering and burying of hazardous waste show that ca. 3-4% of the industrial waste is hazardous (excluding the clinical waste and hazardous waste of household), a level comparable with the other Mediterranean countries.

A critical issue within this context, is the solution of the problem arising from the waste deriving from the past, including the uncontrolled accumulation of the hazardous waste, the pollution of the hot spots and the containment of the unutilized, old or forbidden chemicals.

**Law No. 9537, dated 18.05.2006, “ On environmental management of hazardous waste ”.**

Referring to law no 5, within June 2009, the Minister of Environment shall submit to the Council of Ministers the national plan for the administration of the hazardous waste. This plan among others includes:

- The description of the quantities, types and origin of the hazardous waste, created in Republic of Albania.

Referring to Article no.20, under all circumstances the import and transition of the hazardous waste in Republic of Albania is forbidden.

Referring to Article no.21, the export of hazardous waste is allowed only based on the environmental license/permission for the export of the hazardous waste, issued by the Ministry of Environment, Forestry and Water Management, in compliance with the rules and requisites of the **Basel Convent/Agreement/Accord**.

The environmental permission implies the following conditions for:

1. The definition of the type or types of hazardous waste, for which the permission is issued.
2. The definition of standards for the packing and labeling of hazardous waste and the accompanying documentation during their transportation.
3. Surveillance and reporting of the exported contingents.

Technical standards:

Referring to Article 26, with the proposal of the minister of environment, the Council of Ministers approves the technical standards for the administration of the hazardous waste, whereby are included:

b. Standards, procedures and necessary documentation for the exporting of such waste.

Referring to Article no.18 of the law:

1. The Ministry of Environment creates/establishes the permission register for the hazardous waste.
2. The minister approves the register format in accordance with the EU **models**.
3. The register includes for any environmental permission detailed data on:
  - a. Collection and transportation of the hazardous waste.
  - b. Site of the hazardous waste.
  - c. Export of the hazardous waste.

**Council of Ministers' Decision no. 99, dated 18.02.2005, "On the approval of the Albanian Catalogue of waste classification".**

This catalogue is in accordance with the European Catalogue of the Waste and will be revised and completed according to the relevant modifications of the later.

In appendix 1 is provided the classification of all the waste.

In appendix 2 are provided the characteristics of all the hazardous waste.

In appendix 3 are given the categories of the generated waste, listed in accordance with their nature 3A, and the activity that generates them 3B.

In appendix 4 are provided the composites of the waste of appendix 3B that make them hazardous when they display the characteristics in appendix 2.

As hazardous are appraised the defined waste with a specific sign in accordance with their type and relevant code, as well as the waste defined as such by the Basel Convent.

## II

One of the protection missions of the Albanian Custom referring the environment and public health is:

1. The prevention and control of illegal trafficking ( importing, transiting and exporting ) of the hazardous waste and other waste.

### **Custom Administration**

1. The custom authorities shall control in the state border pass points the declared goods as hazardous waste on the export and transiting of which approval from the relevant ministry designated by this law is required.

2. In case of doubt or violation of the law, the custom authorities block the goods and notify the State Inspectorate of Environment about the infringement and in case of doubt require from the inspectorates technical assistance.

3. Custom authorities register the lot of hazardous waste passing the state border.

4. Custom authorities allow to Regional Environmental Agencies of the Ministry of Environment and of inspectorates the review of registers in written copies or photocopies as well as digital transmission of data.

### **Legislation**

Law no. 8449, dated 27.01.1999, "Customs Code", based on the EEC Regulation No. 2913/92, dated 12.10.1992.

The Decision no. 205, date 13.04.1999 of Council of Ministers, "On the implementation of dispositions of Customs Code", based on the EEC Regulation No. 2454/1993.

- World customs organization network. Convent for the creation of world custom council. Albania is a member from 1992.
- Law no. 9316, dated 18.11.2004, " On the participation of Republic of Albania at the International Convent for reciprocity assistance on administrative custom issues ”.
- At international level for the custom field, Albanian Government has signed bilateral agreements and cooperation protocols with Macedonia, Bulgaria, Croatia, Rumania, Kosovo, Poland, Slovakia, Slovenia, Turkey, Italy and Greece.
- At national level functions a Task Force (Customs and the State Police) for the integrated management of the boundaries.