

*Thematic report on protected areas or areas where special measures need to be taken to conserve biological diversity*

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

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Date of submission:	23.05.2003

*Please provide summary information on the process by which this report has been prepared, including information on the types of stakeholders who have been actively involved in its preparation and on material which was used as a basis for the report.*

The report was prepared based on the information that Directorate of Nature Protection in the Ministry of Environment has on the last 4 years. The information comes from different sources but mostly from the General Directorate of Forestry and Pastures (GDFFP), as the administrative government body for the protected areas, and from the monitoring system that the Ministry of Environment established for the biodiversity issues. In preparing the report we had several consultations with the representatives from the GDFFP, from our Regional Environmental Agencies and with some NGOs in the countries.

On the other hand the Ministry of Environment had accumulated a lot of experiences and data concerning the protected areas in Albania. Now we are working hard on increasing the number and surface of the areas (from 5.8% actual on 14% in 2008)

**Protected areas or areas where special measures need to be taken to conserve biological diversity**

**System of protected areas**

1. What is the relative priority afforded to development and implementation of a national system of protected areas in the context of other obligations arising from the Convention and COP Decisions?					
a) High	x	b) Medium		c) Low	
2. Is there a systematic planning process for development and implementation of a national system of protected areas?					
a) no					
b) in early stages of development					X
c) in advanced stages of development					
d) yes, please provide copies of relevant documents describing the process					
3. Is there an assessment of the extent to which the existing network of protected areas covers all areas that are identified as being important for the conservation of biological diversity?					
a) no					X
b) an assessment is being planned for					
c) an assessment is being undertaken					
d) yes, please provide copies of the assessments made					

**Regulatory framework**

4. Is there a policy framework and/or enabling legislation in place for the establishment and management of protected areas?	
a) no	
b) in early stages of development	
c) in advanced stages of development	
d) yes, please provide copies of relevant documents	Law on protected Areas (see annex)
5. Have guidelines, criteria and targets been adopted to support selection, establishment and management of protected areas?	
a) no	
b) in early stages of development	X
c) in advanced stages of development	
d) yes, please provide copies of guidelines, criteria and targets	

6. Does the management of protected areas involve the use of incentive measures, for instance, of entrance fees for park visitors, or of benefit-sharing arrangements with adjacent communities and other relevant stakeholders?	
a) no	
b) yes, incentive measures implemented for some protected areas (please provide some examples)	entrance fees in Dajti National Park, Butrinti National Park, Kune-Vaini Nature Management Reserve, etc
c) yes, incentive measures implemented for all protected areas (please provide some examples)	

***Management approach***

7. Have the principal threats to protected areas and the biodiversity that they contain been assessed, so that programmes can be put in place to deal with the threats, their effects and to influence the key drivers?	
a) no	
b) an assessment is being planned for	For the year 2004
c) an assessment is in process	
d) yes, an assessment has been completed	
e) programmes and policies to deal with threats are in place (please provide basic information on threats and actions taken)	
8. Are protected areas established and managed in the context of the wider region in which they are located, taking account of and contributing to other sectoral strategies?	
a) no	
b) yes, in some areas	X
c) yes, in all areas (please provide details)	
9. Do protected areas vary in their nature, meeting a range of different management objectives and/or being operated through differing management regimes?	
a) no, most areas are established for similar objectives and are under similar management regimes	
b) many areas have similar objectives/management regimes, but there are also some exceptions	
c) yes, protected areas vary in nature (please provide details)	

10. Is there wide stakeholder involvement in the establishment and management of protected areas?	
a) no	
b) with some, but not all protected areas	X With the law approved is obligatory from 2002 the involvement of all the stakeholders
c) yes, always (please provide details of experience)	
11. Do protected areas established and managed by non-government bodies, citizen groups, private sector and individuals exist in your country, and are they recognized in any formal manner?	
a) no, they do not exist	X But under the new legislation is possible and the authorities is moving in this direction
b) yes, they exist, however are not formally recognized	
c) yes, they exist and are formally recognized (please provide further information)	

***Available resources***

12. Are the human, institutional and financial resources available adequate for full implementation of the protected areas network, including for management of individual protected areas?	
a) no, they are severely limiting (please provide basic information on needs and shortfalls)	X Human and financial resources are the main problems; the GDFP have not the possibility to employ the necessary number of people for the administration of the PA but on the other side there are difficulties to find the appropriate people in the areas
b) no, they are limiting (please provide basic information on needs and shortfalls)	
c) Available resources are adequate (please provide basic information on needs and shortfalls)	
d) yes, good resources are available	

13. Has your country requested/received financial assistance from the Global Environment Facility or other international sources for establishment/management of protected areas?	
a) no	
b) funding has been requested, but not received	
c) funding is currently being requested	For several areas lake Butrinti National Park, Divjaka National Park, Prespa National Park, etc
d) yes, funding has been received (please provide copies of appropriate documents)	For the Ohrid Landscape Protection Area

**Assessment**

14. Have constraints to implementation and management of an adequate system of protected areas been assessed, so that actions can be initiated to deal with these constraints?	
a) no	X
b) yes, constraints have been assessed (please provide further information)	
c) yes, actions to deal with constraints are in place (please provide further information)	
15. Is a programme in place or in development to regularly assess the effectiveness of protected areas management and to act on this information?	
a) no	X
b) yes, a programme is under development (please provide further information)	
c) yes, a programme is in place (please provide further information)	

16. Has any assessment been made of the value of the material and non-material benefits and services that protected areas provide?	
a) no	X
b) an assessment is planned	
c) an assessment is in process	
d) yes, an assessment has been made (please provide further information)	

*Regional and international cooperation*

17. Is your country collaborating/communicating with neighbouring countries in the establishment and/or management of transboundary protected areas?	
a) no	
b) yes (please provide details)	For three lakes that Albania shares with FYROM (Lake Ohrid and Prespa) with Greece (Lake Prespa) and Montenegro (Lake Skadar)
18. Are key protected areas professionals in your country members of the IUCN World Commission on Protected Areas, thereby helping to foster the sharing of information and experience?	
a) no	X
b) yes	
c) information is not available	
19. Has your country provided information on its protected areas to the UNEP World Conservation Monitoring Centre in order to allow for a scientific assessment of the status of the world's protected areas?	
a) no	
b) yes	X
20. If your country has protected areas or other sites recognized or designated under an international convention or programme (including regional conventions and programmes), please provide copies of reports submitted to those programmes or summaries of them.  Karavasta-Divjak ecosystem and Butrinti ecosystem are Ramsar site included in the list of the Ramsar Convention.  Butrinti is a World Heritage site.	
21. Do you think that there are some activities on protected areas that your country has significant experience that will be of direct value to other Contracting Parties?	
a) no	X
b) yes (please provide details)	

### Further comments

In the framework of implementing the biodiversity strategy and preparation of biennial report on State of Environment, every year since 2000 Ministry of Environment (former National Environment Agency) monitors the flora of Adriatic Coast and the fauna of some coastal lagoons. Most of these areas are protected areas.

Since last year the monitoring of Biodiversity is performed based on the monitoring of indicator species. In the report of monitoring Institute of Biological Research has given quantitative estimations for the plant association through cover of bioindicator species for each habitat dispersed in different stations. The monitored habitats are : sand dunes, lagoons, wetlands, Mediterranean pine forests, alluvial forests and coastal rocks. For each habitat are given the invasive species. It is measured chlorophyll *a* as an indicator of status of phytoplankton and trophy in the waters of three lagoons. The study includes also the threatened species of flora.

For the fauna of the coastal lagoons Museum of Natural Sciences has measured as following :

for mollusks : density, frequency and abundance for each species, threatened species

for Insects: density of each species in 10 m<sup>2</sup>, pests, water and non-water insects and threatened species

for Amphibians and reptiles; for the bioindicator species the number of individuals counted in 100 m length in wet habitats and the number of individuals in six walking hours in continental habitats, monitoring of two populations of globally endangered marine turtle *Caretta caretta* in Patok and Karavasta and evaluation for Godulla habitat where are found 80% of the population of Patoku.

For the Birds : number of wintering and nesting water birds

For Mammals : abundance, status and threatening scale for bioindicator species and environmental indicator in the complex of Karavasta which is a Ramsar site.

The strictly protected species of fauna (based on the regulation No. 2, dated 23.07.1995 on administration and development of wild fauna and natural environment) recorded in the coastal lagoons (two Ramsar sites are included- Karavasta and Butrinti ) are :

Mammals : *Lutra lutra*, *Canis aureus*, *Meles meles*, *Mustela putorius*, *Delphinus delphi*, *Tursiops truncatus*.

Birds : *Gavia stellata*, *Gavia arctica*, *Podiceps nigricollis*, *Phalacrocorax pygmeus*, *Egretta garzetta*, *Egretta alba*, *Charadrius alexandrinus*, *Charadrius hiaticula*, *Calidris alpina*, *Chalidris minuta*, *Tadorna tadorna*, *Recurvirostra avosetta*, *Larus minutus*, *Larus melanocephalus*, *Larus genei*, *Sterna sadvicensis*.

Amphibia : *Salamandra salamandra*, *Triturus cristatus*, *Bufo viridis*, *Hyla arborea*, *Rana epirotica*, *Rana dalmatina*

Reptiles: *Caretta caretta*, *Emys orbicularis*, *Mauremys caspica*, *Testudo hermani*, *Testudo marginata*, *Hemidictylis turcicus*, *Lacerta viridis*, *Lacerta trilineata*, *Podarcis muralis*, *Podarcis taurica*, *Coluber najadum*, *Couler gemonensis*, *Elaphe situla*, *Elaphe quatuorlineta*, *Natrix tessellata*, *Telescopus fallax*, *Vipera amodytes*

Insects : *Cerambyx cerdo*

The status of fauna in the monitored lagoons during 2002 is difficult and remained on the level of previous two years without any amelioration. The situation is worst in the Complex of Kune-Vaini (4<sup>th</sup> IUCN category - managed nature reserve) where the number of birds is much lower than the carrying capacity of the area. Better is the situation in Karavasta where there is an increase in the number of nesting birds as a result of the presence of the fishing enterprise in the period 2001-2002. There is no increase for globally endangered *Pelicanus crispus* which is a permanent bird of this area. In Karavasta the situation is difficult for *Lutra lutra* and *Lepus europaeus* and stabilized with a slight up trend for *Canis aureus*. The environmental indicator (ratio of insectivores with rodents) with high values for the complex Divjake-Kravasta ( $i/r=2.36$ ) indicates good ecological conditions and ecological agricultural practices where there are no or in low doses, the use of biocides.

Reasons for the difficult situation are: illegal hunting, prosecution of animals and capture for trade, continuous disturbance, illegal fishing, damage to the natural habitats, collection without criteria of mollusks (*Venus verrucosa*, *Lithophaga lithophaga* in *Ksamil*) during the touristic season, the low level of environmental education of people (missing of knowledge on scientific values of marine turtle, the fishermen maltreat these globally endangered reptiles). Some measures proposed are : ban on hunting in the wetlands areas for a period 3-5 years, drafting of management plans for these protected areas (there are two management plans for Karavasta and Butrinti that are for implementation), better cooperation between Environmental Inspectorate, Forest Police, Fishery Inspectorate and Coastal Guard for law implementation and enforcement to stop illegal hunting and fishing and poaching, awareness raising campaign on the importance of marine turtle (GEF Small Grants Project has helped the fishermen through a modest stipend in order they let the turtles go after they have found in their fishing nets) and other marine mammals through a better cooperation between the Ministry of Environment and Ministry of Education and Science etc.

The system of sand dunes is better conserved in natural conditions comparing with that of other Mediterranean countries. On the other side the human activity through the development of infrastructure, urbanization and tourism is an increasing permanent threat for the ecosystem of beaches and dunes. Some of measures proposed are displacement of motor ways, ban on entrance and parking of cars on this belt, measures to be taken against erosion,

better management of the areas that used for beaches, preparation of action plans for species and habitats for the dunes and beaches, designation of new protected areas, conservation of the uncial plant association and rare in the Mediterranean coast with dominance of *Ephedra distachya* in the Mount of Robi etc.

The flora of Adriatic wetlands as a result of severe conditions (high salinity and often inundations) is better conserved comparing to the other vegetation of the coastal region. Among the proposed measures are : extension of protected areas to include wetlands, forestation with species of genus *Tamarix* (important for bird nesting) Inclusion on the red Book of extinct species *Sarcopoterium spinosum* etc.

The Mediterranean pine forests are threatened by the illegal logging and construction for turistic reason. In these forests are found endemic species like *Aster albanicus subsp. paparistoi* and *Orchis albanica*, *O.X Papparisti* should be conserved and there is a proposal for their designation as nature monuments.

The coastal aluvional forests are the more damaged forests during the last 10 years. This situation asks for strict protection of these forests.

The rocky substrate in a slight belt of soil and the high salinity has brought the rarity of plant kinds in coastal rocks of Adriatic. The presence of *Limonium anfractus* (subendemic species) in the group of characteristic species indicates the special nature of this association in Albania. The botanists think that this is an endemic association labeled *Crithmo-Limonietum anfracti*.

Tourism development and forest exploitation (mainly illegal cutting) for timber and construction are two important factors that threaten the coastal vegetation.

The recorded alien species of flora in the Adriatic coast are: *Aster squamatus*, *Oenothera biennis*, *Acacia cyanophylla*, *Eucaliptus globules*, *Eucalyptus camaldulensis*, *Populus canadensis*, *Robinia pseudoacacia*, *Agave Americana*, *Carpobrotus edulis*. The belt of embrional dunes is more attacked from the alien and invasive species than another habitat. The high dunes are also affected by alien species as result of wrong planting practices and tourism developed in this area. The coastal area with mediterrean pine forests has also signs of wrong planting practices (*Eucaliptus* and *Robinia pseudacacia* etc.). For the other habitats (the first sand belt, wetlands, aluvional forests and coastal rocks) the presence of alien species doesn't play any role in the physiognomy of the plant associations related to these habitats.

Some of the bioindicator species are from the list of protected species such as *Aster albanicus subsp. paparistoi* (Mediterranean pine forests), *Pancratium maritimum* (high sand dunes), *Alnus glutinosa* and *Quercus robur* (aluvional forests), *Limonium anfractus* and *Leucojum valentinum* subspecie *vlorense* (coastal rocks).

*Aster albanicus subsp.paparistoi* is an endemic species of the Albanian coast which is discovered 20 years ago by the Albanian botanists in two areas now is extinct from the Durres areal (a reason for it might be the intense tourism development) and is present only in Divjaka (near Karavasta lagoon). The other endemic species *Lucojum valentinum subsp.vlorense* Pap.& Qosja is found now not only on the rocks near the motor way near Uje I Ftohte (Vlore) but also and with lots of specimen in an area of 1000m<sup>2</sup> near the Old Church of Orikumi (Vlore).

## ANNEX 1



### REPUBLIC OF ALBANIA

### PEOPLE' S ASSEMBLY

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#### LAW

No. 8906, date 6.06.2002

#### ON

#### PROTECTED AREAS

Pursuant to articles 78, 81 point 1 and 83 point 1 of the Constitution, upon proposal of the Council of Ministers

#### the PEOPLE' ASSEMBLY

#### OF THE REPUBLIC OF ALBANIA

#### DECIDED:

#### ARTICLE 1

##### *Purpose*

The law aims at declaring, conserving, administering, managing and ensuring a sustainable use of the protected areas and their natural and biological resources; facilitation of the conditions for the development of environmental tourism; public information and education, economic direct and indirect benefits for the local population, for public and private sector.

#### Article 2

##### **The Goal**

1. The goal of the law is to ensure special protection of the important components of natural reserves, biodiversity and nature in general, through the establishment of protected areas.
2. Protected areas are established to secure the conservation and regeneration of natural habitats, species, reserves and natural landscapes.
3. The law regulates the protection of 6 categories of protected areas, which are applicable in the territory of the Republic of Albania. The areas categorization, the status and the level of protection for each area are based on the criteria set by the International Center for the Nature Protection (IUCN).

## ARTICLE 3

### *Definitions*

1. “Protected areas” are declared land, aquatic, marine and coastal territories determined for the protection of biological diversity, natural and cultural resources, associative, which are managed legally and by contemporary scientific methods.
2. “Biological variety” (from now on “Biodiversity”) means genetic variety of the species and ecosystems.
  - 2.1 “Genetic variety” means all genes within the population (populations) of a given kind, wild or tamed. It includes different population of the same kind, or genetic variability within a population.
  - 2.2 “Variety of species” means all species of plants and animals.
  - 2.3 “Variety of ecosystems” means all types of ecosystems.
3. “Territorial system of ecological sustainability of a landscape” is an inner integrated complex of natural and changed ecosystems, capable of preserving the natural sustainability.
4. “Bio-center” (center of biodiversity) is that part of landscape where long term conditions are ensured for the reproduction and vital activities of organisms and for the natural development of their community.
5. “Bio-corridor” (biological corridor) is the landscape segment, which links bio-centers and makes possible migration of organisms and their communities as well as the exchange of genetic data among them.
6. “Habitat” is the environment of several floral or animal individuals, of populations or their communities.
7. “Landscape” is a territorial part (including marine and coastal space), with special features of the relief, created by a functionally integrated ecosystem complex, including civilization elements.
8. According to this law, “Cave” is considered an underground hole/space, longer than 5 m, created by natural conditions under the action of factors with a non-organic origin.
9. “Vertical cave” implies the vertical underground space, which is deeper than 5 m.
10. “Natural fountain”, means a formation where water, under the action of natural forces, without human intervention, falls in its riverbed from a height not less than 1 m.
11. “Canyon”, means a deep outlet, with sheer mountainsides created by physical-natural processes; in its base, generally surface waters flow.
12. “Important landscape element” is a part of landscape with environmental, geomorphologic or esthetical values, which helps in preserving its ecological sustainability.
13. “Buffer zone” is the limited space in the edge of the protected area, which serves for the prevention or mitigation of harmful ecological impacts in the environment and important elements of a protected area.
14. “Ecosystem” is a unit, which is composed of interaction of organisms with their environment.
15. “Protected area administration” is the state body in charge of the conservation and administration of a concrete protected area.
16. “Environmental permit” is the official document issued by the environmental authority, according to the environmental legislation, for economic and social activities, which have or may have an impact on the environment.
17. “Representative network of protected areas” constitutes the system of protected areas in our country. Ecosystems, habitats, main and representative landscapes of the country are chosen within it.

18. "Ecological network" constitutes the system of protected areas, recognised on the basis of their representative network and linked with bio-corridors. Ecological networks are distinguished as local, regional and interregional systems.

19. "Advantageous status of preserving an ecosystem, habitat or landscape" means:

- (a) natural extension and areas within this extension are sustainable or increasing;
- (b) structures and special functions, which are necessary for the long term maintenance exist and can continue to exist in the near future;
- (c) their own typical species have an advantageous preserving status.

## **ARTICLE 4**

### *Categories of protected areas*

1. Important or threatened parts of the environment are declared protected areas according to the following categories:

- a) strict natural reserve/ scientific reservation/ (Category I);
- b) national park (Category II);
- c) natural monument (Category III);
- ç) managed natural reservation /area of habitat and species management (Category IV);
- d) protected landscape (Category V);
- dh) protected area of managed resources/ protected area with multiple use (Category VI).

2. A buffer zone can be declared around a protected area.

3. For each category of protected areas a defined protection level is applied.

## ARTICLE 5

### *Strict natural reserve*

1. Territories not less than 50 ha, with special natural values, formed from natural ecosystems or easily changeable, which represent bio-centers and bio-corridors with a national or regional importance, are declared strict natural reserves.

2. In the strict natural reserves it is applied the first protection level, where the following are prohibited:

- a) wood cut ;
- b) chemicals and fertilizers use;
- c) construction of any kind;
- ç) mineral extraction, etc.
- d) hunting and fishing;
- dh) fire lighting;
- e) pasturing, crossing of domestic animals and construction of objects to keep them;
- <sup>i</sup>e) construction of rest, entertaining and sport buildings;
- f) crossing in the paths, excluding the land owner or user;
- g) circulation with motor vehicles of any kind, excluding the vehicle of the administration of protected reservation and that of fire brigade.
- gj) boating, canoeing and rowing with other navigation means.
- h) intensive reproduction of hunting animals;

3. Buffer zone of the strict natural reserve can be declared the territory around the reservation with a width of 100 m from its border.

4. Other activities, which can be required to be exercised in the reservation or its buffer area should be made with the environmental permit only.

## ARTICLE 6

### *National Park*

1. Wide territories, usually not smaller than 1000 ha, unique for their national and international values, a big part of which are natural ecosystems, with small impact on human activity, where plants, animals, natural and physical environment are of a special scientific and educational importance are declared national parks.

2. In the national park the second level of protection is applied. The followings are prohibited:

- a) Land utilization with an intensive technology, using ways and means that might lead to essential changes in bio-diversity and the ecosystems functions or damage the land in an irreversible way;
- b) disposal of refuse of origin outside of territory of the national park;
- c) spread of non native animals and plants, when they cause changes in the bio-diversity of the area;
- ç) Intensive reproduction of hunting animals excluding rescue reproductions;
- d) construction of roads, highways, railways, urban areas, high voltage lines and oil and gas systems of a large extension;
- dh) road washing and splashing with chemicals;

- e) planting of monoculture forests;
  - e) fire lighting outside of marked locations and points;
  - f) Circulation of transport vehicles outside marked roads;
  - g) Hunting with poisoned food;
  - gj) mineral, stone, peat extraction, excluding stones and sand for park maintenance
  - h) mass sport and tourist events, outside of marked points.
  - i) organisation of car and motorcycle races;
3. In this area can be exercised activities that are provided in advance with an environmental permit, aiming at:
- a) change of natural state of water reserves, sources, lakes and wetlands;
  - b) construction and function of objects for military purposes;
  - c) research, scientific and monitoring programs;
  - ç) research, scientific, archaeological, paleontological activities and carrying of these finds;
  - d) use or temporary storage of agrochemicals;
  - dh) other activities which are not explicitly prohibited by point 2 of this article;
4. Administration of park conservation approves:
- a) pasturing and crossing of domestic animals and construction of light or temporary buildings to keep them;
  - b) placing of boards, data boards, advertisements, signs and posters;
  - c) boating, canoeing and rowing with other navigation means;
  - ç) non-military flights with helicopters, balloons, delta planes, etc;
  - d) vehicle traffic and parking outside marked roads and posts;
  - dh) mountain climbing, skiing, camping and fire lighting outside of marked points;
  - e) plants, fruits, seeds and mushrooms' collection;
  - e) exercising seasonal tourist activities, which do not require permanent land occupation.
5. In cases when the park conservation administration observes that it is being damaged the very aim for which the park is declared national park , it can limit or temporarily stop transport vehicles, hunting and fishing or any other allowed activities.
6. Buffer zone of the national park will be declared the territory around the park with a width of 50m from its border.

## **ARTICLE 7**

### ***Natural monument***

1. It is declared natural monument any natural formation (including special woods) with an area up to 50 ha, a special geological and geo-morphological formation, a mineral deposit or a rare and threatened kind of habitat or of a special scientific and esthetic value
2. In a natural monument the first level of protection is applied.
3. In compliance with the protection level of the area the Minister of Environment, in collaboration with the Minister of Local Government and Decentralization, approves special rules for the visitors (tourists) for short time periods.

## ARTICLE 8

### *Caves as natural monuments*

1. Caves are declared natural monuments. The Ministry of Environment in collaboration with relevant scientific institutions submits the proposal to the Council of Ministers.

2. Entrance in a cave, caves exploration and study, can be made with the permission of the Ministry of Environment only. This permission is issued upon proposal of relevant local authorities, scientific institutions and specialized Non Government Organizations, according to their recommendations.

3. Discovery of new caves and the results of their exploration are made known to the Ministry of Environment through detailed reports. Copies of the report are sent to the Academy of Sciences, universities or any other concerned non-profit organizations and respective local authorities. The right of the author of the exploration is recognized and ensured to the explorers.

4. Caves can be visited for tourist or medical purposes only after being adopted for such kinds of activities. Regional Environmental Agencies and relevant structures of tourism and local government authorize and oversee these activities. Public or private firms provided with environmental permit can carry out caves adoption and their usage. The Council of Ministers defines rules, criteria and procedures, rights and duties for utilization of the caves. Cave exploration, authorized entrance and every use of caves should assure their protection and cleanliness, conservation of microclimate, water regime, ecosystems, geological and geomorphologic features, pale-ontological and archaeological finds as well as of living beings.

5. The first level of protection is applied for caves, canyons and waterfalls.

6. Caves, canyons and natural waterfalls are not surrounded by buffer zones.

## ARTICLE 9

### *Managed natural reservation*

#### *(Management area of habitat and species)*

1. Territories which represent bio-centers and bio-corridors with a regional and local importance or areas with plants, animals, minerals or pale-ontological finds, particularly protected areas or those used for scientific, educational and cultural purposes are declared managed natural reservation.

2. In areas of habitat and species management the third level of protection is applied. The followings are prohibited in these areas:

a) change of natural state of water reserves, sources, lakes and wetlands.

b) chemicals depositing;

c) vehicle traffic and parking outside of public roads and marked parking lots;

ç) plant, minerals, pale ontological findings and stones collection;

d) construction of objects for military purposes;

dh) Placing of boards, data boards, advertisements, signs and posters, excluding those which display data for the objectives of reservation protection;

e) Mountain climbing, skiing, camping and fire lighting outside of marked points.

3. Activities foreseen in the point 2 of article 5 of this law and any other activity which is not forbidden by this article can be exercised with environmental permit only.

4. Buffer zone of managed area of habitat and species can be declared the territory around it with a width of 50 m from the zone's border.

5. The Minister of Environment and the Minister of Territory Adjustment and Tourism together with the Minister of Local Government and Decentralization define fixed and controllable rules for short periods tourist visits in these areas, considering the protection measures of third level.

## **ARTICLE 10**

### ***Protected landscape***

1. Territories bigger than 1000 ha, with a harmonious and well formed landscape, with a characteristically developed relief, variety of marine or land ecosystems, with historical monuments, are declared protected landscapes.

2. In a protected landscape where the forth level of protection is applied the following are prohibited:

- a) Planting of monoculture forests;
- b) Disposal of waste and fire lightings outside of marked points;
- c) spread of alien animals and plants;
- ç) poisoned food applied for hunting;
- d) construction of highways, navigation channels and urban area development.
- dh) transport outside defined roads and marked locations. This rule is not applied for state vehicles and machineries, agricultural or forestry, fire brigades, veterinary machines and those of water management;
- e) car, motorbike or bike racing.

3. The activities that change the territory use; constructions; chemicals and pesticides use, treatment of sewage water in farms, for the areas bigger than 2 ha, activities which are not explicitly forbidden as of point 2 of this article, can be exercised only after they get the environmental permit and are approved by the National Council of Territory Adjustment.

## **ARTICLE 11**

### ***Protected area of managed resources***

1. Areas of wide territories, relatively isolated and not inhabited, with a limited access, or regions which are currently less populated but under a continuous pressure to be populated and be used more extensively, and their conversion to an intensive use is unclear or not adequate, are declared protected areas of managed resources.

Limited access in these areas implies that these areas will normally require control, which is dependent on the pressure to enter and use the zone.

2. This category can also be used for the areas protected by law, but which, for any reason, are not used.

3. The forth level of protection is applied in the protected area of managed resource.

## **ARTICLE 12**

### ***Forests, waters and other natural resources within the protected areas***

1. Forests located within the protected areas are excluded from the classification as forests for utilization.

2. The management of forest and forest properties, as well as other state owned properties which are located within a certain protected area, is carried out by the administration of the area. The administration exercises these kinds of activities either itself or through an authorized subject.

3. When these properties are private owned, they are managed and used from the owners or legal users only in accordance with the management plan of the area approved by the Ministry of Environment.

4. Dispositions for the interventions against the damagers and diseases which cause damages in the forests or in the waters of the protected areas, are applied only with the approval of the administration of the respective area and up to the level defined by this administration.

## **ARTICLE 13**

### ***Declaration and management of protected areas***

1. Declaration of a protected area and its buffer zone is made by Council of Ministers Decree with the proposal of the Ministry of Environment, after taking the opinion of the local authorities, specialized institutes, non profit organizations and private owners, in any case when their properties are included in the protected areas.

2. The Council of Ministers approves the procedures for the proposal and declaration of protected areas and buffer zones. They are prepared by the Ministry of Environment based on the criteria of the biodiversity convention, respective guidelines of European Union and environmental and national strategies and plans.

3. Any physical and juridical person has the right to request to the ministry that his private territory or part of its natural objects, be declared or included in one of the categories of protected areas.

## ARTICLE 14

### *Declaration of protected areas*

1. The followings will be included in the proposal for the declaration of a protected area:

- a) arguments on the establishment of the protected area, how does it support the objectives of the management plan of the representative network of protected areas, the advantages and disadvantages of the area establishment and the proposed level of protection;
- b) the results of the consultative process with the interested groups of civil society, especially the approval by the local authorities, within and outside the proposed area, including comments and reflections on the proposal;
- c) a physical observation of the proposed location;
- ç) an Environmental Impact Assessment, which includes the identification of the processes and categories of activities which can threaten the biological diversity and other attributes of the proposed location, together with the surrounding areas;
- d) an observation on social and economical impact on local population, use of proposed area and the potential impact of this area in these usages.
- dh) a description of the compensation measures which need to be taken to address the transfer of ownership and rights to use elements of biological diversity.

2. State institutions will take temporary measures for the protection and administration depending upon circumstances.

## ARTICLE 15

### *Management plans of protected areas*

1. The Ministry of Environment, other state institutions and local authorities or in collaboration with third parties, design management plans for each protected area.

2. All management plans of the protected area, which are not approved by the Ministry of Environment should be approved by this Ministry in order to ensure the compliance with the objectives of this law or other related laws.

3. The management plans of the protected area will be included in the governmental policies, plans, programs and activities related to them, as well as to decision-making at national, regional and local level.

4. The management plans of the protected area include:

- a) the objectives of the protected area management.
- b) the mechanisms and management authority of the Ministry of Environment and other state institutions and organizations, etc.;
- c) the processes and categories of activities which threaten the protected area including its surrounding zone;
- ç) regulatory and administrative measures needed to avoid or reduce the identified threats;
- d) other allowed activities within the protected area;
- dh) appropriate activities for the surrounding areas including the buffer zone and others.
- e) conditions for the tourism control and other services.;
- e) data on former land ownership and the rights to use the elements of biological diversity

within it, including traditional activities for the population;

f) conditions to organize traditional activities for living, of the area or elements of biological diversity within it, if they do not oppose the objectives of protected area management;

g) conditions to divide benefits from the creation and administration of the protected area, especially with communities and local populations.

gj) conditions for scientific research, inventory and monitoring;

h) financial resources, including those which give profit;

i) other special conditions for the given area.

5. The management plans of the Protected Area will be reviewed and revised periodically in accordance with current needs.

## **Article 16**

### ***Duties of the Ministry of Environment for the declaration of Protected Area***

1. The Ministry of Environment:

a) drafts and publishes the agenda of areas which will be declared protected areas, after taking the opinion of the local authorities;

b) informs the public on the approved protected areas, natural monuments, protected woods, plant and animal species, mineral and pale ontological findings, defining in detail the conditions for their protection;

c) approves and announces the management plans of Protected Areas together with the programs for the protection of plant species or animals;

2. Management plans and protection programs are drafted in collaboration with administrative institutions and owners of the objects included within the Protected Area.

3. The owners and users of the land to be declared protected area as well as every person or authority interested on the area, have the right to object against the aim of declaring the protected area. Objection can be submitted in writing to the Ministry of Environment, within 30 days from the date of announcement.

4. The Ministry of Environment considers the objections and within one month announces the concerned parties on the decision taken. The interested parties have the right to appeal to the court within 15 days,.

5. From the time of the announcement of the plan for the declaration of a Protected area until it enters into power, the owners and land, forests and pastures users are forbidden to make any intervention which can either change or damage the state and natural values of the territories proposed to be protected.

## **ARTICLE 17**

### ***Implementation of management plans***

1. Management plans and protection programs are implemented by the administration of the area.
2. Management committees are established to follow up these plans. Their composition, functions and responsibilities are determined by the decree of the Council of Ministers.
3. Public and private institutions as well as juridical persons, local or foreign, environmental non profit organizations can be involved in the implementation of the management plans, following competition rules and tender procedures.

## **Article 18**

### ***Ownership in the Protected Areas***

1. Protected areas are declared land territories that are public, municipal, communal property, or even private properties in special cases.
2. For special interests of the nature and bio-diversity protection, protected areas can include private land, forest, pastures, etc., with the approval of the owners in every case.
3. Territories and private objects included within the protected area, are property of the private owner. They are administered and used by him/her or by the legal user, in full compliance with the requirements of the management plan of the area as approved by the Ministry of Environment.
4. Once this law enters into power, the right of administration and use is recognized to the private owners, whose property is included within the territory of the PA. In case the owners do not agree, they do have the right for compensation in value or with another area . They can also sell it to the state according to the legislation in power.
- 5) Natural monuments, public property, are inalienable.

## **ARTICLE 19**

### ***Users of protected areas***

1. Private owners whose properties are included in the protected area as well as the users of these properties take part in planning, conservation and use of natural resources of the area. They should collaborate with the area administration and correctly implement the defined rules, management plans and designed programs for a sustainable development of the area.
2. The activities and construction in Protected Areas are carried out according to the management plan only and after the environmental permit is taken. For buildings built against this law, the law No. 8405, "On urbanity" dated 17.9.1998 is applied.
3. Economic and social activities, projects that are going to be implemented within the Protected area, should be provided with the environmental permit, after they present the respective study and the Environmental Impact Assessment Report.

4. All public, private and tourist constructions, within the territory of Protected areas are made on the basis of studies and general adjustment plans, approved by the Council of Territory Adjustment of the Republic of Albania.

5. The administration of the Protected areas, environmental inspectors, local authorities in collaboration with state police and construction police prevent the implementation of the projects and activities in case they are not in line with the management plan of the area.

6. Juridical and physical persons who carry out allowed activities in the territory of the protected area, once this law enters into power are obliged to have a contract with administrative institutions to exercise their activities paying respective fees.

## **ARTICLE 20**

### ***The Monitoring of the Protected Areas***

1. The Ministry of Environment develops the monitoring objectives of protected areas, manages their organization and performance. The Ministry processes and publishes the monitoring results.

2. As a follow-up of the monitoring programs the Ministry engages public or private institutions according to tender and competition procedures. Subjects engaged in the monitoring process send the monitoring data to the Ministry.

3. The subjects carrying out allowed activities within the protected areas are obliged to monitor according to the requirements of the monitoring program of the area and publish the monitoring data.

## **ARTICLE 21**

### ***Listing and marking the protected areas***

1. Ministry of Environment defines the marking ways of the protected areas in the field and on maps.

2. The Republic of Albania logo is used to mark the protected areas.

3. The Ministry of Environment notifies the respective geodesic and cartographic institutions on every announcement, change, or status removal of any protected area.

4. Protected areas are listed in the central file of the Ministry of Environment, which will be established using the data of relevant state institutions and other specialized institutions.

5. The Ministry of Environment drafts and approves the rules for the construction, function and usage of the central file.

6. Central file is public and everybody can access it with the permission and in the presence of the authorized employee.

## **ARTICLE 22**

### ***Removal and change of Protected Area status and its buffer zone***

1. According to this law the removal or change of the Protected Area status is made in cases of changes in the circumstances and when the objective this area won this status.

2. Removal of the Protected area status is made by Council of Ministers decree, with the proposal of the Ministry of Environment, after the ministry has drawn the opinion of specialized institutions, local authorities, Non Governmental Organisations and of private owners when their property is included in the protected area.

3. When the status of the protected area is removed its buffer zone stops existing.

4. In the proposal to remove the status of a PA the following documents should be included:

- a) the reasons for the status removal;
- b) Environmental Impact Assessment, which reflects the impact on the existing categorization of the protected area in biodiversity and population or local communities ;
- c) description of mitigation measures;
- ç) results of collaboration and consulting processes with concerned groups of civil society, especially with the people or communities within and around the Protected area, including a summary of the comments and their reflection in the proposal.

## **ARTICLE 23**

### ***Administration of the protected area***

1. State authority charged with the administration of protected area (administration of Protected area) is established by decree of Council of Ministers.

2. Composition, structure, duties, responsibilities and the administration functions for each category of Protected areas are approved by the Council of Ministers.

3. Once this law enters into power, the structures established so far for the administration of protected areas are gradually passed under the defined institutions as of point 1 of this article.

4. Ministry of Environment with the approval of the Council of Ministers can administer protected areas and take under its jurisdiction the administration of protected areas.

## **ARTICLE 24**

### ***The right to visit protected areas***

Everybody has the right to visit protected areas provided that all legal rights of the land owner or user are respected, as well as all legal obligations derived from this law, all rules set by the area administration and other laws which define legal obligations for property protection.

## **ARTICLE 25**

### ***Activities in protected areas***

1. According to the requirements of this law, economic, social, tourist, research and scientific activities can be exercised in the protected areas.
2. Central and local authorities promote and support initiatives, programs and activities which aim at improving ecological and natural indicators of a given protected area or which have a positive impact on them.
3. The activities in the protected areas can be exercised after provided with environmental permit only. In cases when the law explicitly requires it, approval from the institution that protects the area should be taken.

## **ARTICLE 26**

### ***Objectives of the representative network of protected areas***

General objectives of the representative network are:

- a) to preserve directions of current and future development of the country through conservation and when necessary through restoration of the ecosystem, habitats and representative landscapes together with the integration of their administration in government policies, plans, programs and activities at national, regional and local level;
- b) to ensure sustainable use of biological diversity elements through the involvement of local communities in decision-making and other activities which are linked with protected areas, such as defining and outlining the areas, draft of integrated management plans and the management of protected areas..

## **ARTICLE 27**

### ***Development, planning, coordination and managing the representative network***

1. The Ministry of Environment coordinates the establishment of representative network of protected areas.
2. Planning, co-ordination and management of representative network are specified in a management plan of the network which is periodically revised and put at the disposal of state institutions and civil society.
3. Management plan of representative network includes:
  - a) Network objectives;
  - b) Contribution of each protected area in the achievement of representative network objectives and those of ecological network.
  - c) Non inclusion of all valuable areas in representative network;
  - ç) Action plan to implement and further develop the representative network.
4. The budgets that support the establishment of representative network and that of protected areas are secured from state financial sources and donors.

## **ARTICLE 28**

### ***General dispositions for protected areas***

Creation of protected areas is made in accordance with the management plan of representative network of protected areas and with the management plan of ecological network of the country.

## **ARTICLE 29**

### **Objectives of ecological network**

Albanian ecological network is created to maintain or re-establish a favourable protection status for ecosystems, habitats and landscapes.

## **ARTICLE 30**

### ***Elements of ecological network***

Ecological network is formed of:

- a) its own central zone, with international, regional and national importance for the preservation of biological diversity which include natural and partly natural ecosystems, habitats and landscapes. Central zone includes elements of representative network of protected areas;
- b) corridors, to improve the connection of central zones, supporting the movement of species;
- c) restoration and rehabilitation zones;
- ç) buffer zones, which support and protect ecological network from outside effects and within it the sustainable and ecological development is promoted.

## **ARTICLE 31**

### ***Development, planning, coordination and management of ecological network***

1. The Ministry of Environment coordinates the establishment of ecological network.
2. Planning, coordination and management of representative network are specified in a management plan of the network which is periodically revised and put at the disposal of state institutions and civil society.
3. Management plan of the network defines:
  - a) network objectives;
  - b) contribution of each element of the network to achieve these objectives;
  - c) shortages of the network;
  - ç) action plan for the achievement of the objectives.

4. The management plan of the network is approved with the Council of Ministers Decree.

5. The government policies, plans and programs as well as decision-making at national, regional and local level ensure the integrity of ecological network.

## **ARTICLE 32**

### ***Sanctions***

1. Violation of dispositions of this law, which are not penal acts, constitutes administrative offence.

2. Types of violations and measures, together with the subjects who observe these violations and determine respective measures are defined by Council of Ministers decree.

## **ARTICLE 33**

### ***Sub-legal acts***

Council of Ministers and respective ministries are charged to draft sub-legal acts for the law implementation.

## **ARTICLE 34**

### ***Abrogation's***

Articles 12, 20 point 2 and 41 of the law no. 7623, dated 13.10.1993 "On forests and the police of forestry service", article 8 letter "c", article 10 and 13 of law no. 7875, dated 23.11.1994 "On the protection of wild fauna and hunting" are abrogated.

## **ARTICLE 35**

The law enters into power 15 days after its publication in the Official Gazette.

**T H E   S P E A K E R**

**Servet PELLUMBI**

## ANNEX I

### **Criteria for the evaluation of protected areas**

1. Diversity (of species and/or habitats )
2. Low density (of species and/or habitats)
3. Representation
4. Critical minimum of the ecosystem size
5. Naturalness, inheritance and integrity
6. Scientific value
7. Ecological vulnerability/vulnerable species
8. Uniqueness/Endemic species
9. Risk of human activity interventions
10. Wild life carrying capacity

## *ANNEX II*

### **List of protected species for the definition of protected habitats**

This list is composed of:

1. “List of protected species of Albanian Flora” of General Directorate of Forests and Pastures by-law through the Ministry of Agriculture, No. 20, dated 20.02.1997
2. “List of strictly protected species of Wild Fauna in the Republic of Albania”, in the Law “On Wild Fauna and Hunting”, No. 7875, 1994