

ANNEX 1 – SUMMARY OF THE ANALYSIS OF ALBANIAN LEGAL AND INSTITUTIONAL FRAMEWORK ON PLASTIC WASTE MANAGEMENT

Plastic production¹, consumption, and waste is expanding exponentially, affecting marine, freshwater, and terrestrial ecosystems and contributing to greenhouse gas (GHG) and hazardous chemical emissions with consequent implications for human health, economies, and social well-being around the world. The main aim of this study² is to carry out an analysis on legal and institutional framework in force and under discussion in the country regarding the prevention of plastic pollution and the management of this type of waste.

In its efforts to acquire EU membership, Albania is negotiating the extensive and demanding chapter 27 of the EU acquis on Environment and Climate Change. Waste Management is a large subchapter of chapter 27, including a series of requirements for developing and/or improving legal framework and establishing effective institutions to support implementation and enforcement of these requirements. Furthermore, waste management issues are intertwined with the transition to Circular Economy, particularly regarding production, distribution, sale and consumption of plastic products. The Waste Directive and CE Directive provides dispositions aiming to completely stop the production of waste or transform waste into a valuable resource. EU plastics legislation contains a number of obligations and targets, including minimum recycling targets for plastic packaging materials, a separate collection target and minimum recycled plastic content for plastic bottles, as well as a ban on certain single-use plastic products.

In Albania, all reporting obligations, policy planning, strategy formulation and implementation monitoring on waste management issues are coordinated by the Ministry of Tourism and Environment (MTE) as the leading institution (GIZ & MTE, 2020). The Ministry of Tourism and Environment, being a policy-making institution, has progressed in drafting and approving the legal framework in the field of waste in accordance with EU directives and regulations. A challenge for the coming years is the implementation and enforcement of these laws, whilst producing the necessary high-quality data to back the achieved progress. Lack of cooperation and/or overlapping powers of central and local institutions hinder effective implementation. The main pieces of legislation dealing with waste management issues include:

- Law no. 10431, dated 09.06.2011 "On environmental protection", amended.
- Law no. 10463, dated 22.09.2011 "On the integrated management of waste", amended.
- Law no. 8094/1996 "On public waste disposal".

Additionally, there is a large number of government decisions regulating various aspects of waste management including waste classification catalogue, waste incineration, landfill construction and operation, handling and treatment of specific waste (vehicles, oil, electric and electronic equipment, packaging, batteries, used tires, scrap metal, construction waste, hospital waste and other hazardous materials). The government has also approved decisions regulating the differentiated collection of waste at source and measures for the costs of integrated waste management, as well as the rules for keeping, updating and publishing waste statistics.

Albania has adopted legal frameworks for waste management by approximating or being inspired by EU waste legislation, particularly the EU Waste Framework Directive. However, further alignment and harmonisation with this directive is needed. Implementing the legal frameworks is challenging because of a lack of staff, insufficient cross-institutional cooperation, budget deficiencies and poor enforcement mechanisms.

On a regional level, this topic is an important element of the circular economy pillar of the Green Agenda of the Western Balkans and the related Action Plan until 2030. In this context, Albania, together with the five

¹ Circular Solutions to Plastic Pollution Integrated Program, 2022, www.thegef.org

² This study was carried out as part of the PLASTIMED project, led by BeMed actors. The project aims to identify both the sources and impacts of plastic and microplastic pollution in the Mediterranean. The objective of the project is to define and better understand the origins and typology of plastics on the one hand and their dispersion and therefore their potential impact on the environment on the other.

other Western Balkans economies, issued a joint statement on prevention of plastic pollution, including marine litter, at the Berlin Process Summit 2023 (Berlin Process Summit, 2023).

Albania's waste sector is facing several challenges. These challenges encompass lack of public environmental awareness, extended environmental pollution and no transparency on actions towards the waste management at local level, particularly in reducing plastic waste. Although legislation exists, implementation and enforcement are often very weak. Addressing these issues requires comprehensive strategies that bridge legal, societal and economic disparities. Despite the adoption of comprehensive strategic documents and action plans by the Albanian government, their effective implementation remains a remarkable challenge in the years ahead.

Albania has no extended producer responsibility (EPR) system in place. The amount of packaging put on the market is not reported. These data are expected to be collected once Albania adopts the expected new Law on EPR in year 2024 once the obligation for the importers and producers to report data will be enforced.

Albania lacks any separate collection systems. Currently there are only seven small scale plastic collection schemes at seven municipalities in the country, while the amount of dirty material collected by waste pickers is reported to be about 18%, mostly plastics. Albania has recently adopted a new Waste Management Strategy and Action Plan for the period 2020-2035 to align with the fundamental policy requirements of the EU in the waste management sector. This strategic framework aims to ensure comprehensive municipal waste collection services for all residents across Albania. Moreover, the strategy defines measures for separate waste collection and sets ambitious targets for recycling and recovery of various waste streams, including plastic waste.

While Albania's waste law has been amended to ban the production, import and sale of certain categories of single-use plastic bags, more alignment with EU legislation will be needed. A task force has been established to ensure the enforcement of the ban and impose penalties for non-compliance.

According to the National Waste Management Strategy, an average of 0.9 kg/day/inhabitant of urban waste is estimated to be generated in Albania, with variations ranging from 0.4 kg/day/inhabitant in rural areas to 1.2 kg/day/inhabitant in urban areas. These estimates are based on expert judgment and some pilot assessments conducted in the country, as there is a lack of comprehensive measurements. Although the strategy does not provide an official forecast, it is generally agreed that there may not be a significant increase in waste generation in the coming years, this mainly related to a significant decrease of the population. The figures indicate a considerable fluctuation in the amount of managed urban waste over the years, making it challenging to project future waste generation accurately.

Albania's level of municipal waste generation is in the midfield compared to its neighbouring economies, with a slight decreasing trend over recent years. Municipal waste dropped from 1.4 million tonnes in 2015 (corresponding to 491 kg/capita) to 0.9 million tonnes in 2021 (corresponding to 311 kg/capita) (Eurostat, 2021), of which paper and cardboard represent about 8% of total waste managed in Albania and plastics amount for about 9%. However, this decrease is attributed to the improvement in waste reporting over years and thus cannot point to a reducing trend per se (EEA, 2021). Nevertheless, the data are still not considered of high quality as there are no exact statistics for waste generation; data and reports are instead based on municipalities' and recycling companies' estimations, except for the few municipalities that take their waste to a sanitary landfill or incinerator equipped with weighing devices (EEA, 2021)].

There are some ongoing efforts to improve waste statistics. Between 2020 and 2022, the Ministry of Tourism and Environment conducted a waste data collection and weighting exercise in all 61 municipalities (National Environmental Agency, 2022) with the aim of increasing awareness of waste quantities and reducing discrepancies between estimated and weighted waste. The waste data obtained through this weighing exercise in Albania for 2022 indicate a notable amount of waste per municipality and a substantial per capita waste generation. However, given that data for all municipalities were only collected for one year and technical structures vary considerably at the local level, they significantly differ from the administrative data.

Around 89% of the population was served by waste collection services in Albania in 2022, mainly in urban areas (INSTAT, 2022), well short of the EU average of 98% (Eurostat, 2023). Waste collection and treatment services are funded through waste management fees paid by households and private companies, but current amounts remain low and insufficient to ensure proper collection equipment (containers and trucks) (Ministry of Tourism and Environment, 2020). While waste management fees have increased in certain municipalities, leading to an improved waste service, the most vulnerable social groups have not received any kind of special treatment in terms of fees.

Municipal waste management is a responsibility of the municipalities in Albania set by the organic law on self-government and the framework law on integrated waste management. Based on legislation municipalities are responsible for adopting waste management plans which should be aligned with the regional and national plans and transpose all legal requirements into measures. Municipal waste management remains a challenge in Albania. Municipal waste separation at source and relevant infrastructure is almost non-existent, despite a legal obligation. The main method of managing municipal waste was disposal to landfill in 2022 (over 70%), significantly above the share in the European Union (23%) (Eurostat, 2021). A few pilot projects are, nevertheless, underway to introduce separate collection in some Albanian cities (in particular for paper and cardboard, aluminium, plastics, and bio-waste). Moreover, the government reported that three composting plants have recently been established (Cerrik, Roskovec and Belsh) and three material recovery facilities (Saranda, Himara and Prrenjas) are operating across Albania, with ten additional plants to be opened in the coming years.

Many municipalities in the country have either adopted or are in the process of developing local waste management plans. However, the adoption of these plans is accompanied by challenges and complexities, primarily stemming from the absence of approved regional waste management plans and waste zones plans. This lack of regional plans adds to the delays and uncertainties in the process.

Although higher than in other regional economies, recycling rates of municipal waste in Albania are low (17% in 2022) compared to the EU average (49% in 2021) (Eurostat, 2021) and most plastics is collected for recycling by the informal sector. Five recycling plants are operational in the Bushat, Korca and Vlora landfills, and plans are ongoing for the plants to be established at the remaining landfills. While collection for recycling is conducted at sanitary landfills and at the incinerator plant in Elbasan by staff employed to do so, most of the recyclable waste is still collected by informal waste pickers from dumpsites and bins and sold to the recycling industry (OECD, 2021).

There are more than 30 private recycling companies in Albania (part of the Association of Recyclers of Albania). The industry’s investment market value is estimated to reach around EUR 230 million. These companies’ combined processing capacity is about 500 000 tonnes/year, which is more than enough to process all recyclable waste generated in the economy. Nevertheless, due to the lack of raw material, the companies have reported to be working at around 25% of their production capacity, recycling around 10% of the total municipal waste generated (Ministry of Tourism and Environment, 2020).

Most municipal waste is disposed of in non-sanitary landfills, some of which are operated by municipalities and others are illegal. These sites are often poorly engineered, managed and operated, posing serious threats to human health and the environment. Waste is usually not pre-treated, and, although illegal, the open burning of waste still happens.

Plastics in Albania are assessed as a priority area with high policy relevance. Albania is also one of the economies with large proportions of mismanaged waste, contributing to a high leakage of (often untreated) plastic waste into the Adriatic-Ionian basin, amounting to 20 kg per person per year (World Bank, 2020), with litter from fishing and shipping in the Adriatic Sea further compounding the problem. This may result in plastic pollution and leakage from mismanaged plastic waste, which have important negative environmental

implications and may harm nature and ecosystems, including marine ecosystems and human health. The most important applications of plastics in Albania are packaging, textile, construction and fishing. Plastics’ usage, in particular single-use plastic products, is also exacerbated by the growing tourism sector.

Albania will need to implement national obligations and targets related to plastics. Namely, its National Plan for Integrated Waste Management (2020-2035) foresees specific targets for the recovery of plastic packaging waste generated (10% by 2025, 12% by 2030 and 22.5% by 2035). Albania will also need to align its regulatory framework with the European Union’s (EU) plastics legislation, in line with its EU accession negotiations.

The current practices of waste management face several issues which are related to tradition, infrastructure, governance of the sector, financing, and especially public awareness. Systems for collecting and removing waste are both inadequate and inefficient.

This inefficiency results in ineffective waste management practices. Additionally, without reliable information, it becomes challenging to make informed decisions about waste collection and disposal choices. This lack of information hinders the ability to implement effective waste management strategies. Furthermore, there is a lack of established practices and protocols for handling waste in an environmentally responsible manner.

Additionally, the insufficient financial and technical resources allocated to waste management pose a significant challenge. Without adequate resources, it becomes difficult to improve waste management infrastructure and implement effective waste treatment methods.

Generally, there is a lack of understanding among the public about the damage caused by improper waste disposal. Raising awareness about these issues is crucial for garnering support and promoting positive changes in waste management practices. Education about climate change, waste prevention and 3R (reduce, reuse, recycle) strategies is already in the school curricula in Albania. The most prominent campaign in plastic reduction was launched by the MTE on banning single-use plastic bags. The campaign was widely supported by the donor community and civil society. However, there is a need for increased public awareness regarding the detrimental effects of poor waste management.

Conclusions:

- Growing amounts of municipal waste and improper waste management lead to environmental pollution. Most municipal waste is still sent to landfills.
- Waste legislation, including targets, is increasingly being adapted to or inspired by EU directives.
- Data on waste generation and management are largely insufficient, although many initiatives are in place to improve data quality.
- There is an urgent need to set up and invest in separate collection systems and recycling infrastructure and seize the opportunity to recover valuable resources.
- Targets for municipal waste, mainly for recycling but also for collection and reducing landfilling, are set in waste legislation, strategies, and programmes, approximating those set by the EU. In some cases, this results in targets that appear ambitious compared with the current situation and the capacity for change. The measures implemented with the aim of reaching the targets are generally weak, especially for recycling targets.
- Key challenges include a lack of financial resources and staff, insufficient cross-institutional cooperation, and poor enforcement of waste legislation. Illegal, substandard, and informal activities hinder the proper funding and functioning of the legal infrastructure and its gradual improvement. The region would benefit from fees that are better structured to cover the full waste collection and management costs and more effective enforcement.