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***Technical Assistance for Institution Building of the Ministry of Environment in Enforcing Environmental and Climate Acquis***

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## **State Inspectorate for Environment and Forest Institutional Development Plan 2018 - 2022**

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## Introduction

According to the EU Progress Report Albania 2016 “As regards horizontal legislation, the 2015-2020 cross cutting environmental strategy has not been approved yet. Albania is at an early stage of building administrative capacity to enforce legislation. Inspection capacity has developed but should be further strengthened. Alignment to the Directive on environmental impact assessments (EIA) is at an early stage. Quality and implementation of EIAs need to be improved, especially in the hydropower and mining sectors. Strategic environmental assessment requirements are not applied in the energy sector and shall be expanded to cover all relevant plans and programs. Alignment and implementation of the Directive on Environmental Liability are at an early stage”.

The IBECA project team has prepared an Institutional Development Plan for the State Inspectorate for Environment and Forests (SIEF). The plan is produced as part of the outputs associated with Component B.1. - Institutional Review and Development of Strengthening Programme.

The plan has been prepared in consultation with the SIEF management representative and there are obviously considerable challenges in the implementation of the plan in the current context of capacities and resources.

An institutional development is very important for SIEF in order to effectively generate, allocate and use human, material and financial resources to attain specific objectives on a sustainable basis, aiming at more sustainable development interventions in the environmental inspection area.

At the moment and for the foreseeable future the SIEF receive a budget from the Ministry of Environment (MoE) which is limited to the salaries of the inspectors and an amount for per diems which is not actually received.

The plan does therefore not include any financial aspirations for investments or ongoing operational costs as to our understanding at today a clear commitment from the Government of Albania to make available further financial resources to environmental protection is missing.

Indeed IBECA has highlighted in a number of reports the serious budgetary deficiencies in the resources made available to the Ministry of Environment by the Government of Albania (GoA). There is perhaps the habit in parts of the administration to think that investment funds could be realised by the international donor community. However it is the authors’ opinion that it should be the GoA to provide effective budgetary support to its key environmental protection services.

The second challenge that the SIEF faces is in terms of human resource capacities. This is a serious issue and the lack of human resource capacities within the SIEF is being continually undermined by the policy of political appointees with no environmental education.

IBECA has provided technical support by way of vocational training programmes and these have been well attended and the content assimilated by those inspectors with science or perhaps legal backgrounds.

This however, as has been repeatedly pointed out to the MoE, is very much the minority of the SIEF inspectors. The sad fact of the matter is that you can show a plumber a few slides and show him how to

be a Medical Doctor BUT in truth and unless he/she has the fundamental educational background of a Medical Doctor then he/she is still after all a plumber.

Once again IBECA is advising that this political appointment system stops and that the SIEF is populated by science graduates and, to a very much lesser and activity restricted extent at HQ level only, lawyers.

Only once these two fundamental issues are resolved will the SIEF be able to move towards being a professional body fit for purpose in the context of a modern Environment Inspectorate.

The Institutional Development Plan intends to provide SIEF with a tool to increase its effectiveness and efficiency, transparency, and follow good governance principles in its work at the interface between the government, the regulated community, and the civil society.

The Plan presents our vision to achieve environmental objectives by systematically assuring compliance with environmental laws and regulations over the period 2018 to 2022.

The Plan is based on international practice in the field of management and operations of environmental inspectorate in order to:

- Stimulate the adjustment of inspection criteria and procedures.
- Allocate human and financial resources;
- Increase staff professionalism and integrity;
- Establish an effective dialogue with the regulated community and the general public;
- Encourage in-country and international co-operation.

## State Inspectorate of Environment and Forests (SEIF) - Regulatory Background

Law No. 10 433, dated 16.6.2011 on “Inspection in the Republic of Albania” establishes the general principles of inspection, the organization of public institutions, which perform inspection functions, the status of inspectors, the rules of administrative procedure of inspection, the establishment and functions of the Central Inspectorate.

The Central Inspectorate is established as a central public institution, subordinated to the Prime Minister. The mission of the Central Inspectorate is to improve the effectiveness and accountability of inspection activities in the Republic of Albania.

All inspection institutions such as the Central Inspectorate, state inspectorates, line ministries etc. have separate responsibilities that are clearly defined in the relevant legal and regulatory framework. However, the cooperation between various inspection institutions, aims to significantly increase the performance of the inspection management system.

Legal and regulatory framework on inspection in the Republic of Albania defines the obligation of the Central Inspectorate to establish and maintain effective relationships with other organizations and institutions of the inspection system, aiming the cooperation for the improvement of functioning of the system. This cooperation is based on the exchange of information on a professional basis for the subjects of inspection, strategic annual plans and Annual General Inspection Report, which summarises the whole inspection activity in the country and its submission to the Council of the Ministers.

The organisational system in Albania has a pyramid structure: the state inspectorates are subordinate to the relevant Ministry, the line Ministries and the Central Inspectorate, which, together with their respective powers and roles, constitute a system of checks and balances that is expected to ensure the achievement of the inspection reform goals.

### The Central Inspectorate:

- coordinates and supports the activities of state and local inspectorates;
- gives advice on the inspection programmes elaborated by state inspectorates;
- adopts general rules, according to the methodology of risk assessment, on scheduling inspections, documenting inspection activities, and reporting the activities of inspectorates;
- adopts rules on indicators of the effectiveness and quality of inspection activities and their evaluation criteria;
- provides legal opinions on any initiative and legislation in the field of inspection;
- oversees the implementation of the Law on Inspection and the special law by state inspectors regarding the programming, authorisation and conducting of inspection activities and has the right to propose disciplinary measures against inspectors and the chief state inspector in the event of breaches;

- prepares general annual reports of inspections and submits them to the Council of Ministers;
- coordinates training activities and the qualification of inspectors;
- adopts specific requirements for the training of inspectors in the state and local inspectorates;
- performs initial and periodic testing of inspectors;
- creates and maintains a unique inspection portal that contributes to the programming and coordination of inspections, the exchange of necessary data among different inspectorates, and the provision of public information; and
- maintains an updated list of inspectors on duty in every local and state inspectorate and publishes it on an official website.

The role of the Central Inspectorate in terms of the organisation of inspection bodies is related to:

- Methodological guidance and inspection programmes;
- The coordination of inspections;
- The monitoring and evaluation of overall performance; and
- The training and attestation of inspectors.

The SIEF is a central public institution subordinated to the Ministry of the Environment, exerting its jurisdiction throughout the whole territory of the Republic of Albania through its central office and its regional branches.

The Law on Environmental Protection delineates the duties and functions of the SIEF. The Law defines the field of environmental inspection, the obligation for ensuring compliance, compliance notifications, suspension notifications, offences etc.

The Decision of the Council of Ministers No. 103, dated 4.02.2015, on the Establishment, Organization and Functioning of the State Inspectorate of Environment and Forests defines the institutional dependency, rules of organization and functioning, inspection functions, number and territorial jurisdiction of the branches.

The Law on Inspection in the Republic of Albania defines SIEF divisions and organization of work, the status of its employees, and relations with other institutions.

The Ministry of Environment supports the effective functioning of the SIEF but is not involved in the operation of inspection activities. With the support of the Central Inspectorate, the Ministry establishes:

- Annual and mid-term strategic objectives for the state inspectorate; and
- Specific indicators for the effectiveness and quality of inspection work.

The SIEF is part of the State Inspection system and is just one of several inspectorates, which are Ministries related, working under the overarching Central Inspectorate. The SIEF consists of two distinct groups of inspectors - environmental permit inspectors and forestry inspectors.

The law on Environment Protection lays down the functions and responsibilities of the State Inspectorate of Environment and Forests (SIEF):

- *Competent authority for ensuring state control of environmental protection as provided by this Law, and the legislation referred herein;*
- *Competent authority for ensuring compliance with the conditions of any environmental permit in accordance with the provisions of his Law and legislation on environmental permitting;*
- *Competent authority for preparing the annual inspection programs and ensuring their implementation;*
- *Provide information to the public on environmental matters in accordance with the provisions of this law;*
- *Provide information to the public related to the decision making process on environmental matters in accordance with the provisions of this law;*
- *Regulatory authority for ensuring the implementation of environmental liability principle in accordance with the provisions of this law;*
- *Carries controls on the implementation of duties, investigation of the contaminated or potentially contaminated sites, as well as of the duties and programs for the rehabilitation of contaminated sites. The environmental inspector may also carry other duties defined in other specific environment related legislation;*
- *Every other function defined in other environment specific legislation.*

## Quantitative Analysis for Staffing Needs

### ➤ Assumptions

The following have been assumed in this process:

- Staff numbers will remain as a constant for the immediate term and reflect the numbers currently deployed in the current inspectorate structures for environment and forests, while institutional capacity, which is critically important in delivering effective enforcement needs to be significantly increased.
- Financial resources will NOT be increased at the State Inspectorate of Environment and Forests can effectively function in line with the requirements of local legislation on Environment Protection and Forestry.

### ➤ Challenges

In regard to the above and the legal framework for the State Inspectorate of Environment and Forests, the challenges facing the GoA in this regard are numerous however the main challenges have been outlined below:

- The current environmental permits for Type A and B installations are currently hardly

inspectable due to significant gaps in the monitoring data requirements and the content of the permit conditions. This will be addressed in due course through a revision of the Environmental Permitting Law. This will see an overall reduction of the number of environmental permits. The focus of the SIEF in 2017 and 2018 will be to rectify these issues in a joint action programme with the NEA.

- The legal base on inspection requires the preparation of strategic inspection plan and other plans. SIEF should define inspection policy and strategy, the strategic plan as well as the annual, monthly and weekly plans. Strategic inspection plan and annual inspection plans based on a risk assessment as a systematic procedure are needed. A “Guideline on Risk Inspection Methodology for the State Inspectorate of Environment and Forests” is prepared by IBECA project. The Guideline which consists in a suitable risk based methodology will be used within the context of the inspection regime, assisting SIEF to carry out a risk assessment, as a systematic procedure with the aim of reviewing, identifying, defining and categorising sectors that are the subject of inspection, based on the risks they generate.
- Current funding in terms of environmental protection are unsustainable in the context of new legislative functionality for the SIEF and budget lines are restricted to salaries and *per diems*. A financial plan, which supports the implementation of the set targets striving towards a higher level of efficiency, inspection planning, implying an accurate identification of priorities and objectives to achieve higher efficiency, field inspection activities, and accordingly time and resources spent, limited to those implied by the inspectorate’s objectives, reducing demand by prescribing monitoring obligations to the polluters, referred to the “Polluter Pays Principle” by proposing relevant legal interventions, establishing necessary infrastructure especially in terms of authorized laboratories as well as the standardization of sampling and measurements methods and potential reassessment of priorities, in case of a situation of limited financial resources and potential budget cuts, is needed.
- The legal and regulatory base on inspection is good, while the regulatory base on inspection in the environmental area needs to be completed/amended especially the Criminal Law (amendment to the Chapter IV of the "Criminal offenses against the environment").
- SIEF should exert its responsibilities and should be part of the legislation and strategy drafting, should set targets and indicators, define responsibilities, strengthen cooperation, develop guidelines, procedures, work instructions, monitoring and reporting, identify training needs and ensure that trainings are conducted.
- The role and mandate of environmental inspectorate should be clearly defined. From the institutional point of view, SIEF should be at the core of compliance assurance system. Attention should be paid to the organization of compliance assurance and the role of in the administrative structure: by one side the organization of the inspection activities in the country under the Central Inspectorate and the responsibilities of the SIEF as a subordinate structure under the responsibility of the Ministry of Environment and clear division of responsibilities regarding policy/strategy planning and policy/strategy implementation in the environmental area. The most important issue is to ensure institutional autonomy of SIEF to make independent decisions regarding compliance checking, despite the political and other pressures posed. Compliance checking is a principal function of SIEF. Either under the same organizational chart (NEA/SIEF), or divided structures, SIEF may be responsible for some of the activities required for permitting, compliance promotion, and enforcement.

Whether or not to delegate some environmental permitting responsibilities to SIEF, important is to make sure that conflict of interests are avoided by clearly defining the role and mandate of SIEF as core of the compliance assurance system in the country.

- There are in place regulations, Standard Operating Procedures, standard inspection forms, checklists, handbook etc. In order to ensure the standardization of all inspection tools, it is necessary to draft all necessary regulations, checklists and revise the existing ones, including the revision of the existing checklists etc. A set of documents such as instructions for inspection and checklists are prepared by IBECA Project.
- Law implementation remains an issue either due to the legal uncertainties, or due to limited capacities. To be mentioned is the implementation of legal powers due to the lack of a clear division between environmental and criminal offenses, as well as the legal vacuum related to the environmental criminal offences which are considered administrative offences from the Prosecution and Court.
- Salaries and employment status for inspectors must be addressed to ensure a professional approach to environment inspection in line with legislative requirements and strategic aspirations.
- Resources for functionality in certain key areas of the inspectorate function fall well below those required for even basic inspectorate functionality. SIEF should ensure that necessary facilities to support the execution of inspection tasks and responsibilities are in place. SIEF should increase capacity by combining staff, expertise and skills and available equipment.
- Human capacities in terms of a modern inspectorate function are low. Capacity building at central and especially at regional level should be built. Capacity building plans should consider specific target groups based on their specific responsibilities.
- In terms of distribution of responsibilities, the headquarter inspectors inspect the Type A and B installations, while the regional branches the Type C installations. The revision of the environmental permitting legislation should be followed by the relevant arrangements regarding inspection. Clear distribution of responsibilities should be defined for the SIEF at central and regional level as well as the criteria for inspecting especially the large and complex activities.
- Training and qualification modules by Central Inspectorate on the inspection legislation in force, administrative procedures, administrative violations, conflicts of interest, periodic certification of inspectors and on-going training programmes, knowledge testing and assessment methods are necessary. In terms of quality of inspection and enforcement capacity, SIEF should provide the necessary sufficient expertise as well as financial resources for the execution of inspection and enforcement tasks and develop necessary knowledge and skills consisting at necessary expertise in terms of knowledge, skills, and attitude, training needs assessment and training plan, time frames and financial resources to implement the training plan. A system of continuous training for improving the professional competence of inspectors as an essential part of effective management is needed.
- Due to the nature of the institutional reform there will be significant challenges in both intra institutional and inter institutional co-operation for this new entity.
- The sole reliance by the GoA in its self-monitoring approach to industry in Albania is narrow-minded and does not in itself as a policy ensure good environmental compliance by industry. In addition the policy is undermined by the poor quality of Type A and B environmental permits

issued by the NEA.

- Transparency and public involvement is not always ensured. SIEF, in compliance with the legislation in force collects and processes data from the site inspection reporting system, prepares annual reports on the inspection function and submits to the Central Inspectorate. A modern system consisting in protocols for communication, information management, information control, and information exchange is needed. This consists in public disclosure of inspection results, sanctions, and condoning decisions, information systems to manage data about inspection results, sanctions, and condoning decisions and the operational information exchange internally and with other inspection and enforcement organizations of inspection results, sanctions, and condoning decisions.
- Intra and inter institutional communication is not at the required level. There are in place some mutual agreements between the MoE/SIEF and other ministries, subordinate structures and control bodies, but some of them need to be revised and some other need to be drafted. Other than internal environmental structures such as NEA, NAPA, there are other inspection authorities and institutions with responsibilities in the areas, which may affect the environmental management at national and local level: natural resource management agencies (water, energy, minerals, industry etc.), agriculture, protection of public health, food safety, occupational health and safety, consumer productions, territory planning, law enforcement, police, customs etc. Relevant arrangements in the regulatory framework are necessary to avoid conflicts between these institutions to avoid overlapping responsibilities and potential gaps that can negatively impact the compliance assurance program. These arrangements may consist in the clear definition of responsibilities, development of inter-institutional agreements and memorandums of understanding, task forces, committees and commissions, defining mechanisms and procedures for joint inspection activities coordinated by the Central Inspectorate.
- SIEF should set priorities and targets based on the environmental problem analysis and non-compliances. The targets should be measurable. For this purpose, measurable indicators for each target should be selected as well as the monitoring of the indicators for assessing the achievement of the targets.
- The internal cooperation is not well formalized. In order to properly prepare and execute compliance assurance tasks SIEF should provide internal and external tuning: internally with other relevant departments and people inside the organization, and a proper internal communication, horizontally and vertically; externally: concrete mechanism of co-operation with other relevant organizations involved in environmental inspection and enforcement. To solve issues of concern regarding cooperation between structures in environmental domain, which is not at the required level, it is necessary the institutionalization of cooperation between environmental structures, between two inspectorate authorities environmental and forests as well, without infringing their independency, as key to achieve effectiveness. Moreover, even in the external cooperation level, the communication channels and coordination between SIEF and other institutions, agencies, inspectorates are not strong enough, so even in this regard, the institutionalization is necessary, especially with other ministries/state inspectorates, LGU's/local inspectorates, civil emergencies, state police forces, border authorities etc.
- SIEF should have in place protocols and work instructions regarding internal and external tuning on the preparation and execution of its tasks. Despite the Handbook and SOPs in place, other documents need to be drafted, in order that SIEF properly executes its tasks, especially

preparing sector-specific regulations on the inspection function in terms of requirements for human resources and financial resources, guidelines on the inspection process, sector-specific inspection strategy and implementation plan, guidelines on preparing emergency management plans to verify the environmental management response to any arising environmental damage and the mitigating measures to be taken in case of environmental emergencies including both intra- and inter-agency cooperation etc.

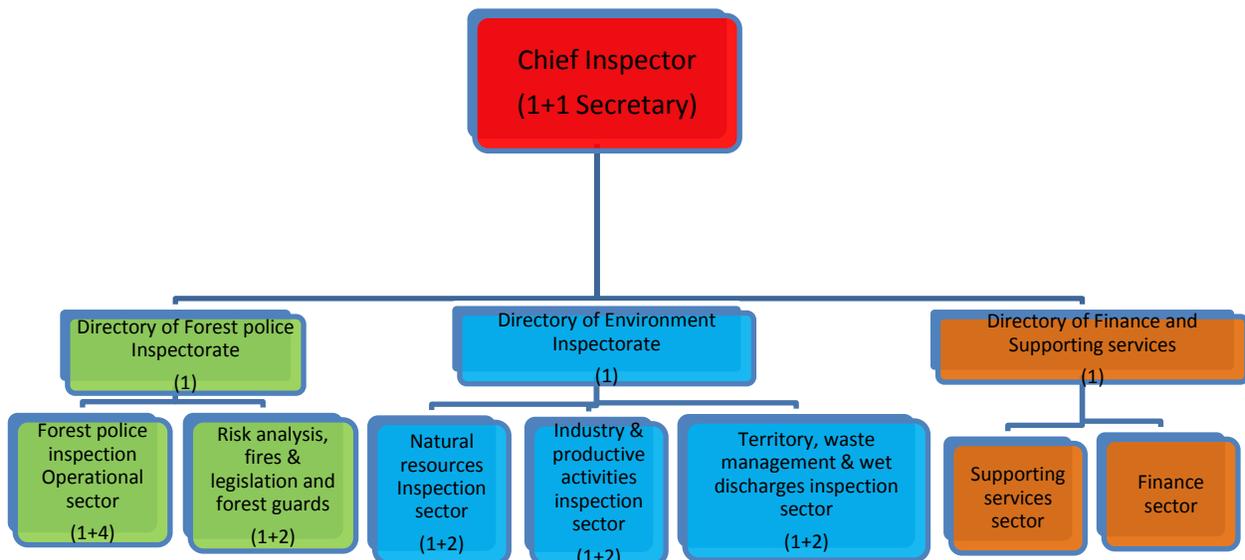
- In order to execute inspection and enforcement programs, SIEF should provide a strict connection with priorities and targets, as well as minimum frequency of inspection, specification of geographic areas to be covered, time frames and resources to execute the compliance assurance program, specific plans for each department at headquarter and each regional branch and even annual work plans for each inspector.
- In terms of quality of inspection and enforcement capacity, SIF should provide the necessary sufficient expertise as well as financial resources for the execution of inspection and enforcement tasks and develop necessary knowledge and skills. Necessary expertise may be needed too for revising the job descriptions if necessary.
- As far as one of the weakest point is the lack of necessary facilities to support the execution of tasks and responsibilities, SIEF should ensure that sufficient quantitative and qualitative resources are available to execute its tasks, including: facilities, materials that are needed for the execution of the inspection, equipment and instruments, administration, maintenance and calibration, etc.
- In terms of evaluation of SIEF performance a quality assurance is needed, including a clear inspection process description, a transparent system to check periodically internally the execution of tasks in conformity with the set targets and procedures, an evaluation and feedback system to facilitate the adjustment of targets and procedures, etc.
- SIEF should monitor its performance. SIEF should systematically monitor the inspection and enforcement process and its results and effects. Referring to the set targets and priorities, performance indicators should be defined. A system for measuring and monitoring performance should be established. A management review is necessary too for ensuring continual improvement: leading to improvements in the policy process, the regulatory cycle, and the inspection and enforcement policy if necessary

Many of these challenges will need to be met head on by the GoA and at the earliest opportunity or the new SIEF will very quickly lose credibility with the citizens of Albania.

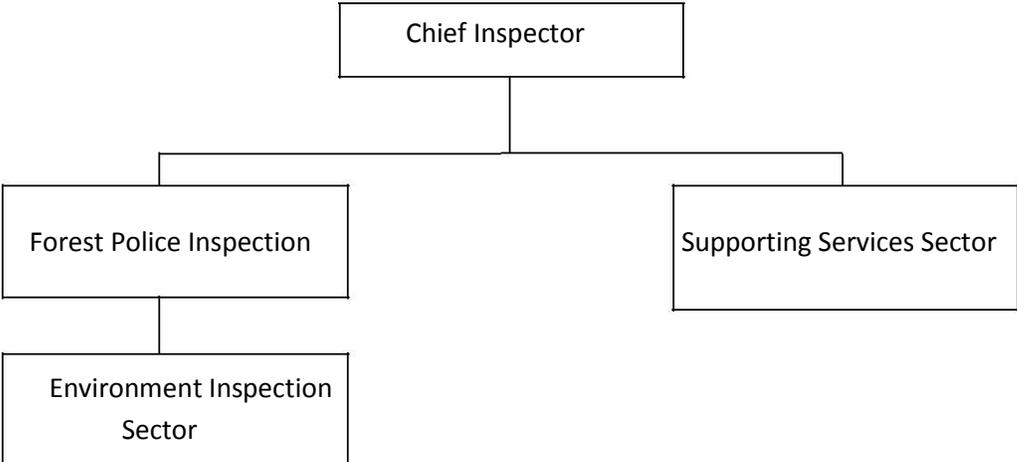
## SIEF Operational Structure

Our focus as a regulator will continue to change. We will move from the separate implementation of individual regulations towards a more integrated approach, based on achieving specific results with key industry sectors and individual operators, using an increasing range of regulatory tools. Some of these changes need new legislative arrangements and funding models, and we will be working closely with the Albanian Government to progress these. Together, these changes will enable us to better understand the environment, and the issues that matter most to the people of Albania. This in turn will enable us to better target our effort on the most important environmental problems in order to maximise the benefits we deliver for Albania. The SIEF has an overarching central structure in Tirana and also 12 regional branch structures based in each of the 12 regions.

**Figure 1:** Structure of the State Inspectorate of Environment and Forests at Central Level/ PM Order no. 37 dated 12.03.2015



**Figure 2:** Structure of the regional branches of the State Inspectorate of Environment and Forests



## SIEF Strategy

The Inspectorate has carefully considered and set out a new statement of mission, vision and values for the Inspectorate based on the role and tasks and new regulatory requirements set out in the EPL and other new environmental laws. It is proposed that underlying the **mission, vision, and values of the** proposed draft Strategy for enforcement are the principles of proportionality in the application of environmental law and in securing compliance; consistency of approach that is consistent enforcement action which is necessary in the interests of legal certainty, justice, equality of treatment and credibility; transparency about how the law operates; targeting of enforcement action and implementation of the polluter pays principle.

We are Albania's principal environmental regulator. We provide advice and guidance for those who want to comply with environmental law, or even go beyond compliance to be environmental champions; we engage with those who don't fully understand their environmental responsibilities, to raise their awareness; and we take tough action against those who are either unwilling to comply or who are involved in criminal activity. Working with partners, we adopt an intelligence-led approach to identify breaches of environmental legislation and develop problem-solving projects to tackle them: ensuring the environment is protected, while supporting and enabling economic development.

### The following strategy means we can:

- Improve our understanding of the environment, and the needs of the economy and local communities;
- Engage more directly with the public, particularly through citizen science, to increase understanding of the environment and encourage positive environmental action;
- Prioritise our efforts, based on robust evidence;
- Work through partnerships to achieve multiple benefits for Albania;
- Be more flexible, innovative and responsive.

### The definition of 'environmental inspection' contained in the IED Article 3(22) (definitions) should be employed as follows:

"*environmental inspection*" means all actions, including site visits, monitoring of emissions and checks of internal reports and follow-up documents, verification of self-monitoring, checking of the techniques used and adequacy of the environment management of the installation, undertaken by or on behalf of the competent authority to check and promote compliance of installations with their permit conditions and, where necessary, to monitor their environmental impact"

## Key principles

Worldwide, environmental compliance assurance is supported by several principles, most importantly:

- Proportionality in the application of the law and in securing compliance;
- Consistency and credibility of approach;
- Transparency about how to operate as an inspectorate and what the regulated community may expect from the inspectorate;
- Targeting of enforcement action.

**Proportionality** is addressed through the balance of action to protect the environment against risks and costs. Some incidents or breaches of regulatory requirements cause or have the potential to cause serious environmental damage. Others may interfere with people's enjoyment or rights, or the inspectorate's ability to carry out its activities. The inspectorate's first response is to prevent harm to the environment from occurring or continuing. The non-compliance response taken by the inspectorate should be proportionate to the risks posed to the environment and to the seriousness of any breach of the law.

**Consistency** means taking a similar approach in similar circumstances to achieve similar ends. The inspectorate aims to achieve consistency in the response to pollution and other incidents and the use of powers and decisions on whether to prosecute. The inspectorate should recognise that consistency does not mean simple uniformity. Decisions on enforcement action are a matter of professional judgement and the inspectorate, through its inspectors, needs to exercise some discretion. Inspectors need to take account of many variables: the scale of environmental impact, the attitude and actions of management of the company, and the history of previous incidents or breaches. Arrangements to promote consistency, including clear decision-making criteria and effective arrangements for liaisons with other enforcing authorities should be developed and maintained.

Research shows also that the effect of inspection and enforcement is strengthened if it is credible.

**Credibility** can be achieved by clear and realistic targets, proportional sanctions for non-compliance, and a high chance of getting caught. Credible inspection and enforcement actions should have the following characteristics: continuity, adequately founded, proportional, deterring, but fair. Furthermore the actions of the authorities (including the inspectorate) should be legitimate, authoritative, professional, and coordinated.

**Transparency** is important in maintaining public confidence in the inspectorate's activities. It means helping the regulated community and others, to understand what is expected of them and what they should expect from the inspectorate. It also means making clear why an inspector intends to, or has taken enforcement action.

Transparency is an integral part of the role of inspectors and the inspectorate will train (and continue to train) its staff to develop its procedures to ensure, that:

- Where remedial action is required, it is clearly explained in writing, if requested, why the action is necessary and when it must be carried out. A distinction should be made between best practice advice and legal requirements;
- Opportunity is provided to discuss what is required to comply with the law before formal enforcement action is taken, unless urgent action is required, for example, to protect the environment or to prevent evidence being destroyed;
- Where urgent action is required, a written explanation of the reasons is provided as soon as practicable after the event;
- Written explanation is given of any rights of appeal against formal enforcement action at the time the action is taken.

**Targeting** means making sure that regulatory effort is directed primarily towards those whose activities give rise to or risk of serious environmental damage, where the risks are least well controlled, or against deliberate or organized crime. Action will be primarily focused on lawbreakers or those directly responsible for the risk and who are best placed to control it.

### Other principles

The inspectorate will also need to develop tools to **assess and compare risks**. There are high risk sites (*e.g.* some major chemical plants or some waste disposal facilities) which should receive regular visits so that the inspectorate can be sure that remote risks continue to be effectively managed.

However, a relatively low risk site or activity poorly managed has potential for greater risk to the environment than a higher risk site or activity where proper control measures are in place.

The inspectorate is supposed to have systems for **prioritising regulatory effort**. They include the response to complaints from the public about regulated activities, the assessment of the risks posed by a permit holder's operations and the gathering, and acting on intelligence about illegal activity.

Inspection **follow-up** is important to ensure that shortcomings identified are addressed in an appropriate and timely fashion, and that there is verification of actions taken. In this regard there are a number of different tools available to public authorities for follow-up action items, depending on the severity of the concerns including, for example:

- notifications of changes to be made;
- identification of agreed actions and timetables; citations and fines; and,
- in the most severe cases, shutdown of facilities, etc.

Repeated incidents or breaches of legal requirements, which are related, may be an indication of an unwillingness to change behaviour or an inability to achieve sufficient control. It may require a review of the legal requirements (like license prescriptions), of the actions of the company's operator, and additional investment. The inspectorate will develop standardized protocols and forms, to promote a

**structured approach to inspections** and to inspection reports. Protocols should address the steps included in the inspection (from preparation to the on-site visit, through reporting and follow-up). This will allow improved understanding of trends over time and facilitate exchange of information and experience.

## The role of environmental compliance assurance

In the case of the **use of third parties** (independent of government and the operating company) delegated to undertake technical or systems inspections on behalf of the inspectorate, there is need to ensure the quality of such parties (for example, through certification or accreditation schemes).

The inspectorate retains their legal responsibilities for the inspections; they cannot delegate their responsibilities to the third party inspectors. Care should be taken to avoid conflicts of interest, in particular where such third parties engage in both consulting as well as inspection services. Inspection authorities should also be **involved** in other **related activities** designed to further the general objective of supporting improvements in external safety and labour safety, health, nature, etc.

### Legal Basis

The legal basis and necessity for the strategy is provided by the Environmental Protection Law, the Law on Inspection in the Republic of Albania, and the DCM on the SIEF. It is also provided by legal acts adopted to meet the requirements of the environmental acquis.

### Challenges

The process of implementing and enforcing the large and complex body of EC law is a huge task that requires careful planning and management by the Inspectorate on an ongoing basis.

### Targets and Priorities

On the operational level, the Inspectorate should develop annual work plans as part of strategy implementation. They should include at least frequency, time, resources and budget planning for installations to be inspected. **The frequency of inspection is to be based on a systematic risk assessment with plants deemed to pose the highest risk subject to a higher level of inspection than plants posing the lowest risks.** The plan should also describe compliance assistance and promotion activities and should allow time and resources to carry out administrative or any unexpected tasks. **The work plan should be progressively based on the approaches of professional project management, e.g. with clear targets, measures of effectiveness, time and resource allocation, and identified preconditions for implementation.**

**In addition, the strategy and operational plans should accurately identify and profile the regulated community.** The relevant information will include the name of the facility, contact information, geographic location, type of business or operation, any existing licence or permit, emissions and risks associated with their release, etc. Information gathering should proceed in many ways (inventories, licence applications, review of existing government records, registering procedures, ambient

monitoring, etc.). Systems, computerized where possible, should be developed to store, access and analyse data on the regulated community.

By 2020 we want to have:

- An empowered and engaged workforce, in the right place, with the right skills, to deliver excellent services;
- The tools and understanding needed to achieve the most positive outcomes;
- A simpler, more proportionate, and more efficient system of regulation, with a wider range of tools available to us;
- A significantly increased proportion of our resources deployed flexibly on projects to tackle priority environmental harms through a problem-solving approach;
- Regional inspection plans to deliver environmental improvements for selected industry groups and individual operators.

## Examples of how we will ensure that Albania's environment is protected and improving

### **1. Promote compliance and enforce environmental law**

We will:

- provide a proportionate, risk-based approach to regulation;
- provide advice and guidance to promote compliance with, and raise awareness of, environmental regulations;
- take tough action against those whose criminal or negligent actions lead to significant impact on the environment; use a problem-solving approach to tackle environmental crime.

### **2. Influence the future shape and delivery of environmental regulation**

We will:

- work with the Albanian Government to make environmental legislation simpler, more joined-up and better targeted in order to address both current and future environmental, economic and social challenges;
- modernize permitting, auditing and enforcement activity, and simplify bureaucracy;
- continue to improve our understanding, and delivery, of 'better regulation' in Albania.

### **3. Promote the benefits of a good environment**

We will:

- identify businesses which are complying with environmental law and contributing to economic growth;
- incorporate an ecosystem services approach into river basin management planning to demonstrate the benefits of a better water environment;
- promote excellence in business innovation to tackle emissions and deliver new products and services which improve environmental performance.

### **4. Develop innovative partnerships**

We will:

- anticipate the advice and information required by emerging sectors and technologies to comply with environmental regulation;
- develop European funding bids with partner organizations which focus on problem

solving, regulatory innovation and low carbon priorities.

### **5. Engage the public in our work**

We will:

- target publicity campaigns locally and nationally to highlight environmental priorities;
- strengthen public participation arrangements associated with our permitting, particularly for sites that may generate a high level of public interest;
- co-ordinate the timing of meetings of river basin management and flood risk management advisory groups to ensure efficient use of public and private resources.

### **6. Find creative and flexible solutions**

We will:

- work with sectors to identify priorities, integrate controls, and agree joint plans and outcomes to reduce their environmental impacts;
- make further use of organizational and partners' knowledge to identify creative and flexible solutions to the most significant environmental harms; continue to work with stakeholders and industry using an approach that focuses on education and awareness.

### **7. Focus on the areas where we can make the biggest impact**

We will:

- grow our problem solving and sector management capabilities so that we can target effort on the most important environmental harms; identify and focus on the poorest performers and most hazardous activities.

## Reporting and monitoring procedures

Priorities should be set by the ISHMP management team in a time sensitive manner and in order to achieve targets systematically. This will enable monitoring and evaluation of progress on a regular basis. The overall purpose of monitoring and evaluation is the measurement and assessment of performance in order to more effectively manage development results. Monitoring is a continuous function that aims primarily to provide the Inspectorate, Ministry and main stakeholders with an ongoing intervention with early indicators of progress, in the achievement of results. Evaluation is a selective exercise that attempts to systematically and objectively assess progress towards and the achievement of an outcome.

## Institutional Capacity Building

### Funding and Budget Management for Enforcement

Analysis of the resources available and needed to meet new compliance regulatory burdens under the EPL and other new environmental laws should be conducted before the requirements enter into force. The additional financial resources, toolkits, guidance documents and training required for the competent authorities to undertake performance of new inspection and enforcement functions should also be determined.

### Stakeholder Cooperation

Management of the transition to the regulatory regime envisaged in the EPL will require effective stakeholder consultation and cooperation under the leadership of the MoE in collaboration with the Inspectorate. **Consultation with key stakeholders including industry should also be part of the legislative drafting process for the new environmental laws.**

### Communications

The SIEF will develop a robust Communication, Media Relations and Public Awareness Strategy to ensure that its role and functions are clearly understood by the business community and general public. This strategy will include the provision of workshops on topics relevant to the work of the SIEF and to underpin regulatory initiatives conducted by SIEF. Information regarding the activities and regulatory function of SIEF will be disseminated widely to ensure that stakeholders are kept informed in regard to SIEF and its statutory obligations.

Whilst SIEF is a regulatory body it will endeavour to engage industry on a partnership basis to facilitate compliance and in this regard good communication in both directions is vitally important.

## SIEF Mission Statement

Our aim is to provide a proportionate, risk-based approach to regulation that will drive environmental improvements and protect human health.

Everyone in Albania benefits from our environment and we all have a responsibility to protect it. We provide advice and guidance on many different environmental issues to help businesses, communities and individuals understand the issues and make decisions regarding our environment. This includes: providing advice on environmental issues for development plans and providing advice on the environment for businesses through information dissemination and workshops.

Environmental regulation can support economic growth and the development of new low carbon technologies, setting emission standards and limits which help drive business innovation and resource efficiencies. To regulate effectively we need to influence the future shape and delivery of environmental regulation, and will work with the Albanian Government to make environmental legislation simpler, more joined-up and better targeted.

We will continue to improve our understanding and delivery of ‘better regulation’ in Albania working with national and international partners, and by benchmarking ourselves against and learning from ‘best practice’. We will contribute to the operation of the Environmental Crime Task Force (IGEC), and will seek European funding for projects that build tools, networks and approaches which will enable SIEF to develop into skilled and professional environment inspectorate.

In the above regard the SIEF has two distinct sectors of responsibility and each has its own unique sub sector strategy as a component of the overarching SIEF strategy.

## State Inspectorate of Environment and Forests

The State Inspectorate of Environment and Forests (SIEF) is Albania's environmental regulator. Our main role is to protect and improve the environment. We do this by being an excellent environmental regulator, helping business and industry to understand their environmental responsibilities, enabling customers to comply with legislation and good practice and to realize the many economic benefits of good environmental practice. We protect communities by regulating activities that can cause harmful pollution and by monitoring the quality of Albania's air, land and water.

We protect the environment and human health through the work of our inspectors who cover a range of specialist areas including chemistry, ecology, environmental regulation, hydrology, engineering, quality control, planning, communications, business support and management functions. Our 12 regional offices enable us to work across the whole of Albania and our corporate office is in Tirana.

We monitor and report on the state of Albania's environment and use that sound scientific understanding to inform our independent regulation of activities that may affect its quality. We also publish a wide range of publications and environmental reports.

The responsibilities of the Directorate of Environmental Inspection are outlined below:

- Preparing a sector-specific regulation on the inspection function in terms of requirements for human resources and financial resources, including guidelines on the inspection process.
- Preparing a sector-specific inspection strategy and implementation plan according to the environmental risk assessment deriving from the information on the number of Type A and B permits of the installations on the site, hotspot areas and waste management plans.
- Implementing the inspection plan.
- Collecting and processing data from the site inspection reporting system and inputting data into an electronic inspection management tool.
- Conducting follow-up missions in the event of non-conformity (minor/major found on site).
- Giving best-practice advice to installations.
- Identifying polluting activities under regional jurisdiction.
- Preparing action plans regarding the identified polluting activities under regional jurisdiction.
- Preparing an emergency management plan to verify the environmental management response to any arising environmental damage and the mitigating measures to be taken in case of environmental emergencies. Such a plan should take into consideration both intra- and inter-agency cooperation.
- Preparing annual reports on the inspection function.

## Forestry Inspectorate

The primary function of the forest inspectorate is to conduct inspections of the forest areas of Albania to ensure compliance with forest management legislation and to ensure compliance with agreed objectives of forest management plans.

Regular reporting by forest owners is the first stage in the monitoring and inspection of forest management in forest management plans. On-the-ground inspection of the forest owner's operations is an essential complementary action to secure compliance with forest management plans.

The inspections procedures, compliance criteria, time frequency, logistics of inspection and reporting procedures and format should be defined in detail within the forest inspection strategy. However, regular and routine gathering of information on operations, forest management and harvesting have a cost.

The NEI will ensure that sufficient staff with the appropriate expertise in the full range of forest resource management activities and variables involved in the forest management plans. The NEI will develop a protocol and procedures for facing potential breaches of forest management plan and/or forest law which are identified.

The NEI will ensure that adequate funds are made available to implement the monitoring of forest management plans and to ensure sufficient levels of inspection to deter contraventions of Forest Law, including on-the-ground inspections.

The distribution of the findings and results of the NEI monitoring activities and their incorporation into changes in policy and practices is an important component of monitoring and reporting. In this regard the design of monitoring and reporting procedures, will incorporate the lessons learned from experience to modify and improve forest management practices, forest plan management and operational procedures, and improve monitoring systems.

### **The responsibilities of the Directorate of the Forestry Police Inspection are outlined below:**

- Preparing a sector-specific regulation on the inspection function in terms of requirements for human resources and financial resources, including guidelines on the inspection process.
- Preparing a sector-specific inspection strategy and implementation plan according to a risk assessment process where consideration is given to the level of impact associated with the degree of vulnerability of a forest zone.
- Implementing the inspection plan.
- Collecting and processing data from the site inspection reporting system and inputting data into an electronic inspection management tool.
- Conducting follow-up missions on situations of non-conformity (minor/major identified through the inspection process).

- Giving best-practice advice to the forest sector.
- Reviewing forest management plans and commenting on their suitability.
- Monitoring the implementation of forest management plans by forest owners.
- Verifying responses and compensation for any damage to Albanian forest resources arising on account of criminal activity or natural disasters.
- Preparing an emergency management plan to mitigate the effects of significant illegal activity and/or natural disasters — for example forest fires — affecting the forest resources of Albania. Such a plan should take into consideration both intra- and inter-agency cooperation.
- Preparing annual reports on the inspection function.

## Strategy of the SIEF

The SIEF has agreed on six key overarching strategy pillars in the context of its operational objectives:

1. **Planning** a structured and risk based approach to the inspection process in Albania to ensure environmental protection while taking cognisance of available resources.
2. **Education** and Public Awareness Raising in the function of the SIEF. Work with government agencies; businesses; local authorities; general public and civil society to promote SIEF and its strategic objectives
3. **Resourcing** and Training Needs Assessment for the Strategic Development of SIEF and its effective functionality in carrying out its legal obligations.
4. **Intelligence** Gathering and Sharing through Intra-Agency Co-operation and strengthening links and operational co-operation between central and regional inspection bodies. Develop links with national agencies and international inspection bodies to share information on best practice and where applicable intelligence.
5. **Legislation** Provide input to the government legislation programme to ensure that legislation is fit for purpose and that it adequately addresses the issues for which it was intended. To ensure that legal instruments are implementable and that where they have a direct impact on the structure and function of the SIEF, that they are adequately resourced.
6. **Supporting** the decision making process of government, through provision of advice to ministers on environment matters, and ensure that in Albania there is a uniform approach to Government Policy and Legislation on the Environment and its protection.

## SIEF Outcomes, Values & Objectives

### ➤ Outcomes

#### **Albania's Environment is Protected and Improving**

Albania will enjoy the economic and social benefits of a good quality environment, with businesses, communities and individuals all taking responsibility for reducing their environmental impacts. We protect the environment, communities and human health by practising EU standards of environmental regulation, implementing legislation proportionately and rewarding good performance while taking tough action against those who fail to meet acceptable standards. Our activity is targeted towards tackling specific environmental criminality through detection, investigation and prosecution of offenders, adopting innovative methods and partnerships, and working with key industry sectors.

#### **Albania's Environment is understood and SIEF is an influential and respected authority**

Albania will have a sound understanding of the environment, the resources and services it provides, the way it is impacted by climate change and human activity, and the effects it can have on human health. There is a co-ordinated approach to the monitoring of, and reporting on, Albania's environment, which makes it easy for businesses, individuals and the academic community to obtain information, advice and guidance. The information and advice we provide is trusted.

EU legislation ensures a high level of environmental protection for Albania. Policy makers and Enforcement Agencies in the EU and Albania have a good understanding of the issues affecting our environment.

#### **SIEF is a High Performance Organization**

We are a flexible, responsive and innovative organization, doing a better job and providing best value for taxpayers and charge payers, confirming our position as an EU standard organization. We will work in partnership with public, private and third sector organizations to demonstrate a professional approach to the detection, investigation and prosecution of environment crime. We seek every opportunity to reduce the environmental impact of our activities.

➤ **Values**

SIEF is committed to the environment; engagement and excellence.

Environment	Engagement	Excellence
Understanding, protecting and improving the environment.	Seeking out productive partnerships and always treating our customers with respect.	Achieving high standards in our pursuit of excellence
Improving our own environmental performance.	Achieving more by working together as one entity	Being the best by continually developing and improving

➤ **Strategic Objectives**

What do our strategic objectives mean?

❖ **Environment**

**Promote compliance and enforce environmental law**

We will raise awareness of environmental responsibilities, provide advice and guidance to operators, and implement environmental legislation efficiently, effectively and proportionately to protect and improve the environment and human health. We will be a firm but fair regulator – encouraging and enabling compliance, but seeking robust and effective penalties for offenders.

**Influence the future shape and delivery of environmental regulation**

Regulation is important to protect the quality of our air, land and water and can support sustainable economic growth and a clean living environment. We will participate actively in a joint programme with the Albanian Government to improve environmental legislation and improve the way we regulate to protect and improve Albania’s environment.

❖ **Engagement**

**Engage the public in our work**

The environment can only be properly protected and improved if everyone builds environmental considerations into all their decision-making. We want to engage the public in our work so that they understand our role and its limitations, and understand the consequences different behaviours and choices have on the environment. We want to encourage people to make the right decisions for the environment, but we also want to learn from the public about their environmental concerns and

priorities.

### **Develop innovative partnerships**

We will work with partners in many different fields to protect and improve the environment, and help deliver sustainable economic growth. This will include working with governments to improve environmental regulation; with key industry sectors to improve their environmental performance; with partner organizations to reduce environmental crime; and with other agencies on joint projects that will deliver multiple environmental benefits.

### **Promote the benefits of a good environment**

A high quality and well-managed environment is fundamental to Albania's economy, human health and well-being, and the sustainable development of strong and vibrant communities. We will provide advice and guidance to help businesses tackle emissions, reduce resource use and improve environmental performance. We will also provide information and support to individuals and communities to help them make environmentally responsible decisions.

## **❖ Excellence**

### **Be the best we can be**

We are committed to being a high performing organization providing a professional approach to environment crime detection; investigation and prosecution. To achieve this, we need the right people in the right places, doing the right jobs in the most efficient and effective ways, ensuring that all our work is high quality, continually improving and provides best value for Albania.

### **Find creative and flexible solutions**

These are changing and challenging times. We face new environmental threats, and fewer resources with which to tackle them. We need to identify new partners with knowledge and experience we can share, identify new technologies which can improve the way we work, and find new ways to interact and work with others to resolve environmental issues and encourage environmentally responsible behaviours. And we also want to explore smarter, more flexible ways of working as an organization.

### **Focus on the areas where we can make the biggest impact**

We must use our resources wisely and, where possible, work with others to achieve more than we could by ourselves. This will mean focusing on achieving multiple environmental benefits at one time, and gathering and analysing information to allow us to prioritise and tackle areas at the greatest risk from environmental harm, or of greatest public concern.

## SIEF Key Areas of Activity 2018 to 2022

### ➤ Capacity Building

We recognise that our people are our most valuable asset and we will continue to improve the way we support them and the opportunities we provide for their development. We will continue to improve our working environments, work practices, security procedures and emergency planning to ensure that our staff are safe and healthy. The way we deliver environmental regulation is changing. We are developing new approaches to prioritising environmental harms, solving problems, providing information and advice, and working in partnership with others.

This means that the skills and competencies we need for the future will also change. For example, more of our staff will need to be skilled at undertaking audits, delivering problem-solving projects and working productively with industry sectors. We will develop a people strategy to make sure we have the right people, with the right skills, knowledge and behaviours, in the right place at the right time doing the right things.

The new people strategy will support the delivery of this Institutional Development Plan and our aspirations to become a high performance regulator. We recently in conjunction with the new EU funded IBECA project team developed a management training programme to ensure that our managers are confident and skilled at dealing with change. We will continue to provide our managers with opportunities to develop the skills they need to motivate their staff to deliver the best possible outcomes for Albania's environment.

We will also continue to develop our management team, providing regular training events to equip them with the skills and tools to communicate SIEF's strategy in a clear and consistent manner to staff, stakeholders and partners and to translate the strategy into meaningful actions and outcomes.

We will carry out regular surveys to establish staff views on our strengths and weaknesses, and will take action to address issues raised

The SIEF has developed an Institutional Capacity Building Plan and Programme with the EU funded IBECA technical assistance project and this will carry out a series of SIEF focused training courses through the period 2016 to July 2017. At the end of this programme the will review the situation and develop a follow on programme and this will need to be funded by the international donor community. In the same period both IBECA and other stakeholders from the donor community will assist the SIEF in the development of national guidance and standard operating procedures.

➤ **Information Management Systems**

One of the challenges to the SIEF moving forward is the management of information within (environment and forests inspectorate) and within the organization (MoE, NEA). Furthermore management of information with Central Inspectorate. Exchange of information with Central Inspectorate, other state inspectorates and local level. The inspectors require access to current versions of environmental permits and also to other documentation associated with the permitted installation. At the moment databases for this purpose do not exist and this missing data presents challenges for inspectors in trying to conduct a professional inspection based on a valid and current environmental permit along with prior inspection data. A new information management system will be developed in the period of this development plan.

➤ **Intra-Agency Communications**

At the moment electronic communication between central and regional offices as well as between regional offices, is poor and needs to be significantly improved. In the period covered by this the development plan an overall communication strategy followed by internal regulations/communication procedures (internal/external) will be developed and this will not only include internal communication but communication in a broader context to include the media; public relations and information dissemination.

➤ **Inspection Planning & Resourcing**

The SIEF will develop both a national inspection strategy and then regional inspection plans and programmes and this process will hopefully lead to a better resourcing of the SIEF both centrally and regionally. Given the constraints on the finances of the SIEF at central and regional level these inspection programmes will be risk based in order to ensure that the resources available are targeted at the high risk activities.

➤ **Inspections**

The SIEF will commence a structured programme of inspection based on the current inspection documentation and in relation to both the new style and the existing environmental permits. It is possible that the current inspection documentation is insufficient for purpose in terms of the new permitting regime however this will be evaluated over the course of the development plan period and a report submitted to the Chief Inspector for his consideration prior to the end of the period with evaluation results and recommendations.

➤ **Environment Crime**

The SIEF has agreed to be a key partner in the newly establish Inter-Governmental Group on Environment Crime (IGEC) and in this regard it has made a commitment to work with the IGEC on four key areas in the coming development plan period. The four key areas are outlined the table below. At the moment the SIEF is the focal point for all international environment crime networks and agencies.

➤ **Illegal Waste Disposal**

The SIEF recognises that the Albanian Government wants fresh action and solutions to tackle illegal waste disposal, particularly hazardous wastes, to help deliver on its commitment to the National Waste Management Strategy. The following actions have been identified as part of this work-stream:

- agreement that the SIEF will support intelligence development, analysis and targeting of offenders engaging in these activities
- in regard to healthcare waste management in particular conduct operations to detect and investigate illegal dumping of healthcare waste by healthcare facilities in the State and private sectors and ensure all healthcare waste, particularly infectious healthcare waste, is treated prior to its disposal

➤ **Wildlife Crime**

The SIEF recognises that there are opportunities for mutual benefit in sharing intelligence, guidance and best practice in respect of roles and responsibility in combating wildlife crime. The following actions have been identified as part of this work-stream:

- Agreement that a strategy on wildlife crime should be developed within 1 year;
- Agreement that a workshop is conducted between relevant partners to explore further opportunities in this area;
- Agreement that training and awareness packages relating to environmental crime are developed and delivered to appropriate partners;
- Agreement that there should be liaison and subsequent exchange of intelligence between SIEF members.

➤ **International Environmental Crime**

The SIEF will be a key supporter of proposals made by members for their bid for funding to undertake project-based work on developing our understanding of environment crime and developing intervention activities with partners across the European Union. Interpol recognises that pollution-based crime, including waste crime, is a serious and growing international problem and has commented:

Environmental crime is not restricted by borders, and can affect a nation's economy, security and even its existence. A significant proportion of both wildlife and pollution crime is carried out by organized criminal networks, drawn by the low risk and high profit nature of these types of crime. Indeed, environmental crime often occurs hand in hand with other offences such as passport fraud, corruption, money laundering and murder.

In response, Interpol has formed an Environmental Compliance and Enforcement Committee to design and develop strategies to enhance the effectiveness and efficiency of national and international

responses to environmental compliance and enforcement. The SIEF will work with Interpol to identify effective solutions in tackling international environmental crime through intelligence sharing and the identification of best practice approaches. The following actions have been identified as part of this work-stream:

- SIEF will develop formal ties with Interpol
- SIEF will contribute to the international agenda in fighting environment crime

## Annex 1: Action Plan and Outcomes in 2018 to 2022

Annual Inspection Plan 2018					
No.	Activity	Target	Description of Activity	Outcome	Duration
1	Environmental Permit Type A Permit Condition Verification Visit	<ul style="list-style-type: none"> <li>Improvement of the environmental quality, the reduction in pollutant releases and provision of high compliance rates</li> <li>Provision of the self-monitoring data and accuracy of the self-reported data.</li> <li>Returning significant violators to compliance</li> </ul>	<p>A visit will be organized in partnership with the REA Monitoring staff in the regions to every installation with a Type A Environmental Permit. This visit will be to undertake a Permit condition verification process as outlined in the Environmental Monitoring Conditions Verification Visit methodology. This visit will be arranged in line with normal permit visit authorization protocols and will be specifically undertaken to determine accurate permit conditions for the environmental monitoring requirements of the installation and the associated emission limit values.</p> <p>This visit will also determine the permitted conditions for the Waste Management, Section 8, of the Environmental Permit.</p> <p>The number of Type A Environmental Permits in each region is as follows:</p> <p>Shkodra - Lezha - Diber - Kukes - Elbasan - 3 Durrës - 5 Berat - 1 Fier - 13 Gjirokaster - Korca – 1 Tirana – Vlore – 3</p>	<p>All type A permitted installations will receive a permit modification issued by the NEA, which will include a revised set of permit conditions for all Monitoring aspects of the environmental permit.</p> <p>This will include all Emission Limit Values as per current Albanian legislation. A separate modification will be issued to every installation with regard to revised conditions of Section 8 - Waste Management, at the installation.</p>	
2	Environmental Permit Type B Permit Condition Verification Visit	<ul style="list-style-type: none"> <li>Improvement of the environmental quality, the reduction in pollutant releases and provision of high compliance</li> </ul>	<p>A visit will be organized in partnership with the REA Monitoring staff in the regions to every installation with a Type B Environmental Permit. This visit will be to undertake a Permit condition verification process as outlined in the Environmental Monitoring Conditions</p>	<p>All type B permitted installations will receive a permit modification issued by the NEA which will include a revised set of permit conditions for all Monitoring aspects of the environmental</p>	

Annual Inspection Plan 2018					
No.	Activity	Target	Description of Activity	Outcome	Duration
		<p>rates</p> <ul style="list-style-type: none"> <li>• Provision of the self-monitoring data and accuracy of the self-reported data.</li> <li>• Returning significant violators to compliance</li> </ul>	<p>Verification Visit methodology.</p> <p>This visit will be arranged in line with normal permit visit authorization protocols and will be specifically undertaken to determine accurate permit conditions for the environmental monitoring requirements of the installation and the associated emission limit values.</p> <p>This visit will also determine the permitted conditions for the Waste Management, Section 8, of the Environmental Permit.</p> <p>The number of Type B Environmental Permits in each region is as follows:</p> <p>Shkodra - 26 Lezha - 35 Diber - 220 Kukes - 128 Elbasan - 177 Durrës - 130 Berat - 58 Fier - 120 Gjirokaster - 18 Korçë - 142 Tirana - Vlorë -</p>	<p>permit.</p> <p>This will include all Emission Limit Values as per current Albanian legislation.</p> <p>A separate modification will be issued to every installation with revised conditions for Section 8 - Waste Management, at the installation.</p>	
3	Installation Environmental Permit Type Verification Visit	<ul style="list-style-type: none"> <li>• Improvement of the environmental quality, the reduction in pollutant releases and provision of an overall high compliance rates</li> <li>• Provision of the self-monitoring data and accuracy of the self-reported data.</li> <li>• Returning potential violators to compliance</li> <li>• Provision of more stringent</li> </ul>	<p>Identify the installations within the regions of Albania which have not converted over to the new Type A and B Environmental Permit and facilitate their conversion</p> <p>A visit will be organized in partnership with the REA Monitoring staff in the regions to every installation which has been identified from a desk study exercise as not having a new style Type A or B Environmental Permit.</p> <p>This visit will be arranged in line with normal permit visit authorization protocols and will be specifically undertaken to determine the nature of the current applicable environmental permit.</p> <p>Assistance will be given to the installation to convert the old style permit.</p>	<p>All permitted installation identified as having an old style permit will receive a new permit in the form of either Type A or Type B issued by the NEA which will include a revised set of permit conditions for all Monitoring aspects of the environmental permit.</p> <p>This will include all Emission Limit Values as per current Albanian legislation.</p> <p>In addition the permit will be issued with revised conditions for Section 8 - Waste Management, at the installation.</p>	

Annual Inspection Plan 2018					
No.	Activity	Target	Description of Activity	Outcome	Duration
		standards for compliance and permits with more stringent regulatory requirements and conditions for the installations			
4	Determination of High; Medium and Low Environmental Risk Industry Sectors within Albania Integrated inspections for installations that pose the greatest risk for environment	<ul style="list-style-type: none"> <li>Profiling the installations associated with the highest risks to ensure that the pollution is controlled and risk managed on major industrial installations</li> <li>Ensure that the installations with increased risk of major accident hazard are identified and that they have emergency plans in place and undertake arrangements for response to major accidents</li> </ul>	<p>A desk study will be carried out to determine the environmental risk ranking of the industry sectors within Albania.</p> <p>Once determined the focus of the SIEF activities in 2018 will be in relation those installations within the high risk industry sectors followed by those of medium risk.</p> <p>The risk based inspection procedure will therefore be applied firstly to those installations within the high risk industry sectors and then to the medium risk industry sectors.</p>	<p>A definitive list of industry sectors in terms of the environmental risk they present and expressed as either High; Medium or Low Risk Industry Sector.</p> <p>This will allow resources in the immediate terms to be allocated to the high and then medium risk industry sectors</p> <p>From the inspections conducted at these installations a risk based inspection system will be established throughout the inspection activities of 2018.</p> <p>This will allow the focus of the SIEF resources to be directed to those high risk installations within either the High or Medium Risk industry sectors.</p>	
5	Installation Integrated Environmental Permit Verification Visit	<ul style="list-style-type: none"> <li>Improvement of the environmental quality, the reduction in pollutant releases and provision of high compliance rates and risk reduction</li> <li>Provision of the self-monitoring data and accuracy</li> </ul>	<p>Identify the installations within the regions of Albania which have received multiple Type A and B Environmental Permit for a single technical unit on the same footprint and facilitate their conversion to a new integrated Type A or B environmental permit</p> <p>A visit will be organized in partnership with the REA Monitoring staff in the regions to every installation, which has been identified from a desk study exercise as having multiple permits for a single technical installation.</p> <p>This visit will be arranged In line with</p>	<p>All permitted installation identified as having multiple permits for a single technical unit on a single footprint will receive a new integrated permit in the form of either Type A or Type B issued by the NEA which will include a revised set of permit conditions for all Monitoring aspects of the environmental permit.</p> <p>This will include all Emission Limit Values as per current</p>	

Annual Inspection Plan 2018					
No.	Activity	Target	Description of Activity	Outcome	Duration
		of the self-reported data  • Integrated permits and better environmental performance of installations	normal permit visit authorization protocols and will be specifically undertaken to determine the nature of the current applicable environmental permit. Assistance will be given to the installation to convert to the integrated permit at either Type A or Type B.	Albanian legislation. In addition the permit will be issued with revised conditions for Section 8 - Waste Management, at the installation.	
6	Environmental Permit Inspections	Conduct inspections at environmental permitted installations throughout Albania	Plan and conduct environmental permit inspections at permitted installations Type A and B in all 12 regions of Albania	Completion of post inspection paperwork and reporting of violations  Follow up visit arranged to verify compliance.	

**Notes to Table:**

There will be a dedicated team of experts from both the environment Agency and the SIEF temporarily assigned to the tasks at Activity No. 1 to 5. A structure for this has been outlined in the table below.

SIEF Management – Mr Enis Tela							
Lezhe		Fier		Tirana		Elbasan	
Workshop: 14 <sup>th</sup> & 15 <sup>th</sup> March 2017		Workshop: 8 <sup>th</sup> & 9 <sup>th</sup> March 2017		Workshop: 10 <sup>th</sup> & 13 <sup>th</sup> March 2017		Workshop: 6 <sup>th</sup> & 7 <sup>th</sup> March 2017	
SIEF/NEA Regional Team Management GH/BT		SIEF/NEA Regional Team Management XH/AP		SIEF/NEA Regional Team Management EH/M		SIEF/NEA Regional Team Management DS/KS	
Lezhe/Shkoder/Diber/Kukes		Fier/Gjirokaster/Vlore		Tirana/Durres		Elbasan/Korce/Berat	
SIEF	REA	SIEF	REA	SIEF	REA	SIEF	REA
<b>Lezhe</b> Anisa Frroku Arben Marku	<b>Lezhe</b> Jorida Shabaku	<b>Fier</b> Avni Hida Antoneta Nasi	<b>Fier</b> Valbona Gremi	<b>Tirana</b> Jetnor Xhelegu Gerson Tafa	<b>Tirana</b> Eleonora Shqina	<b>Elbasan</b> Ada Guzi Fatime Sula Sadush Sharku	<b>Elbasan</b> Filladi Pengu
<b>Shkoder</b> Erdet Behari Shkelzen Cuni	<b>Shkoder</b> Ardiana Krasniqi	<b>Gjirokaster</b> Ervin Keqi	<b>Gjirokaster</b> Kosta Dhima	<b>Durres</b> Elton Bleta Xheni Beqaj	<b>Durres</b> Blerim Gjyzeli	<b>Korce</b> Mikel Dedelli Andi Tasellari	<b>Korce</b> Irina Këllezhi
<b>Diber</b> Taulant Suleman	<b>Diber</b> Shkelqim Skarra	<b>Vlore</b> Arjeta Qurku Linden Maze	<b>Vlore</b> Silva Tare			<b>Berat</b> Festim Shëmili Shkëlqim Abduramani Jonida Tabaku Dritan Metaj Ergert Lacka Marsel Cili	<b>Berat</b> Jonida Leshi
<b>Kukes</b> Luan Dogjani	<b>Kukes</b> Oltiana Hilaj						

**Action Plan Activities – Corresponding Key Performance Indicators**

Activity No.	Activity Description	Key Performance Indicator(s)
1	Environmental Permit Type A Permit Condition Verification Visit	No. of Environmental Permitted Installation Verification Visits Undertaken No. of Environmental Monitoring Permit Conditions Checklist Completed No. of Waste Management Permit Conditions Checklist Completed No. of unsuccessful Permitted Installation Verification Visits No. of Installations where multiple verification visits were required for checklist completion
2	Environmental Permit Type B Permit Condition Verification Visit	No. of Environmental Permit Installation Verification Visits Undertaken No. of Environmental Monitoring Permit Conditions Checklist Completed No. of Waste Management Permit Conditions Checklist Completed No. of unsuccessful Permitted Installation Verification Visits No. of Installations where multiple verification visits were required for checklist completion
3	Identify the installations within the regions of Albania which have not converted over to the new Type A and B Environmental Permit and facilitate their conversion	No. of installations identified in each region No. of installations successfully converted to new style environmental permits No. of installations converted to new Type A Environmental Permit No. of installations converted to new Type B Environmental Permit
4	Determination of High, Medium and Low Environmental Risk Industry Sectors within Albania	No. of Industry Sectors in the High Risk Category in Albania No. of Industry Sectors in the Medium Risk Category in Albania No. of Industry Sectors in the Low Risk Category in Albania No. of installations in the High Risk Industry Sector Category No. of installations in the Medium Risk Industry Sector Category No. of installations in the Low Risk Industry Sector Category

Activity No.	Activity Description	Key Performance Indicator(s)
5	Installation Integrated Environmental Permit Verification Visit	No of installation identified in each region No of installations successfully converted to integrated environmental permits No of installations converted to integrated Type A Environmental Permit No of installations converted to integrated Type B Environmental Permit No of permits reduced through the exercise in each region Number of installations that received technical assistance
6	Environmental Permit Inspections	Increased compliance achieved by installations receiving technical assistance No of installations with increased risk of major accident hazard No. of installations with emergency plans in place, arrangements to response to major accidents No. of complaints identified No. of issues related to environmental liability Environmental and human health improvement from compliance assurance and enforcement activities Timeliness of return to compliance by significant violators Recurring or new violations by significant violators No. of inspections and investigations conducted No. of enforcement actions taken Quality of inspections Appropriateness of the targets of inspection Quantity of self-reported data received Total number of legal cases initiated Types of cases by severity of violation Multiple violations or repeated violators  No. of cases won  Timeliness of enforcement actions Time to respond to a violation, or achieve compliance or to return to compliance Monetary penalties assessed as a result of enforcement actions No. of complaints identified