



DECISION OF THE COUNCIL OF MINISTERS

No \_\_\_\_\_, date \_\_\_\_\_

ON

THE NATIONAL ENVIRONMENTAL MONITORING PROGRAMME AND NETWORK

Pursuant to Article 100 of the Constitution and Paragraph 2, Article 41 and Paragraph 2, Article 42 of Law No. 10431, dated 9.6.2011 "On Environmental Protection" upon the proposal of the Minister of Environment, the Council of Ministers

**DECIDED:**

**I. SCOPE**

1. This Decision defines:
  - a) Rules and procedures on the drafting the national monitoring programme;
  - b) Organization and functioning of the National Monitoring Network.

**II. GENERAL**

In terms of this Decree, the following terms shall mean:

- a) "Monitoring Institutions" includes institutes, research centres, laboratories within the public universities or institutes and private laboratories;
- b) "Agency", the National Environmental Agency, central office and its regional offices;
- c) "Minister" is the minister in charge of environment;
- ç) "Ministry" is the ministry in charge of environment
- d) "National Environmental Monitoring Programme" (NEMP) means the programme at any time developed for the national or international purposes of monitoring the state of the environment in the Republic of Albania;
- e) "Network" is the national network of specialised monitoring institutions that will take part in the National Environmental Monitoring Programme as described in the Environmental Protection Law;
- f) "Metadata" is data that describes other data.

**III. NATIONAL MONITORING NETWORK**

1. The Agency is the competent authority to manage the National Environmental Monitoring Network;
2. The Network consists of the following institutions:
  - National Environmental Agency – responsible for monitoring
    - Quality of Surface Water (except bathing water quality)

- Air quality
  - Air Emissions from Industrial activities
  - Waste
  - Noise
  - Flora, fauna, biodiversity and forests
  - Institute of Public Health (IPH) – responsible for monitoring
    - Air quality
    - Bathing water quality
    - Radiation
  - Agricultural Technologies Transfer Centre – responsible for monitoring
    - Soil quality
  - Albanian Geological Survey (AGS) – responsible for monitoring
    - Quality of groundwater
3. Each of above institutions has to appoint a representative as a focal point which should maintain the correspondence, relations with the NEA.
  4. The Minister can anytime update the list of participants of the Network based on prescribed criteria.

#### **IV. DEVELOPMENT AND ADOPTION OF THE NATIONAL ENVIRONMENTAL MONITORING PROGRAMME (NEMP)**

1. The Agency prepares the proposal for the NEMP every three years.
2. The Minister approves the NEMP for a 3 year period and makes provisions for the corresponding budget.
3. The NEMP, in line with the requirements of the relevant specific legislation , at the least will include and describe:
  - a) The overall purpose;
  - b) The role of each participant of the Network;
  - c) Number and place (geo-references) of monitoring stations;
  - d) Number of monitoring parameters and frequency for each monitoring station;
  - e) Sample type, monitoring method, laboratory method detection limits and unit of monitoring for each monitoring parameter;
  - f) Quality assurance/Quality control procedures for each monitoring parameter;
  - g) The procedures of processing, storing, accessing, sharing and presenting the data;
  - h) The required budget for each participant of the Network.
4. The Minister can modify the NEMP the 3 year program as per budget availability.
5. The approved NEMP is published on the website of the Agency and should be made public based on the law on protection of environment.
6. The Minister, as per request of specific legislation will report to the Council of Minister to inform about important environmental policy issues addressed as a result of the NEMP.

## **V. IMPLEMENTATION OF THE NATIONAL ENVIRONMENTAL MONITORING PROGRAMME**

1. The Agency is responsible for the overall coordination and implementation of the National Environmental Monitoring Programme.
2. The Agency organizes quarterly meetings with the participants of the Network to discuss optimisation of the monitoring activities and to coordinate implementation.
3. Each participant of the Network shall submit its data and annual report to the Agency not later than within the first month of the following year. Data might be requested on an on-line basis. The annual report shall contain monitoring data (raw data) with quality assurance details and data processed, metadata and possible interpretation including relevant technical explanations.
4. The Agency may request from any of the participants of the network to participate in a national survey as part of a specific annual environmental monitoring program for the following year upon due financial compensation.
5. The Agency:
  - a) Collects all information from the participants of the Network;
  - b) Prepares the annual State of Environment Report and makes it available to the public;
  - c) Makes recommendations to the Minister for policy decisions as a result of the monitoring;
  - d) Makes recommendations to the Minister for changes of the NEMP if deemed necessary;
  - e) It is the National Focal Point to the European Environment Agency;
  - f) Reports to European Environmental Agency on behalf of the Republic of Albania.

## **VI. SURVEYS**

1. The Minister may request the Agency to undertake surveillance monitoring in case of pollution incidents or specific environmental policy concerns.
2. The Agency will request the relevant participant(s) of the Network to undertake the relevant monitoring activities related to the incidents/concerns.

## **VII. DATA**

1. The Minister is the owner of the monitoring data of the Network and might request validation of data if deemed needed.
2. The Agency stores all monitoring data in a database, to which there is access for all the participants of the Network. The Minister might lay down rules for access to data.
3. Data of relevance for assessment of the state of the environment monitored by any other public institutions or data from significant environmental sectors and their impact on the environment must be available for the Agency free of charge.
4. All environmental monitoring data collated by the Agency shall be available to the public and other public institutions on the Agency website.

## **VIII. FINANCIAL COVERAGE**

1. The State Budget shall allocate an annual budget directly to each of the participants in the Network (following the budget planning per component of the NEMP) to undertake their respective role and tasks of the NEMP.
2. All expenses for the monitoring shall be borne by the annual budget of each participant of the Network for the relevant year.
3. The Agency budget for monitoring can be utilised by entering into contractual relationships with specialized monitoring institutions or for the Agency to undertake monitoring itself.
4. Surveillance monitoring of pollution incidents will be financed by a dedicated budget requested and provided by the Minister. The Agency will manage the budget on behalf of the Ministry.

## **IX. FINAL**

1. Decision No. 1189, dated 18.11.2009 of the Council of Ministers "On environmental monitoring in the Republic of Albania" shall be repealed by the entry into force of this DCM.
2. The Minister is responsible for issuing an Order for approval the NEMP
3. The Minister is the overall responsible for the implementation of this decision.

This decision shall enter into force after its publication in the Official Journal.

## **PRIME MINISTER**

**Edi Rama**