



ECRAN MULTI-COUNTRY WORKSHOP ON OZONE- DEPLETING SUBSTANCES (ODS) AND FLUORINATED GASES (F-GASES)

Tirana
27-28 May 2014

OUTLINE

- **Legal and institutional framework**
- **Implementation of legislation**
- **F-gases reporting**

LEGAL AND INSTITUTIONAL FRAMEWORK

- Albania ratified the Vienna Convention and the Montreal Protocol in October 1999, by **Law No 8463 of 10.03.1999** "On the adherence of the Republic of Albania to the Vienna Convention for the Protection of the Ozone Layer and Montreal Protocol on Substances that Deplete the Ozone Layer".
- **Law No 9480 of 16.02.2006** approved the Copenhagen Amendment to the Montreal Protocol.
- **Law No 9484 of 02.03.2006** approved the London Amendment to the Montreal Protocol.
- **Law No 9485 of 06.03.2006** approved the Montreal Amendment and the Beijing Amendment to the Montreal Protocol.
- **DCM No 290** of 28.4.2010 —On some changes and additions of the DCM No.453, of 23.6.2005, —On approval of the list of equipments using ozone depleting substances, which are prohibited to be produced and imported, as well as the rules and procedures of ODS substitution in existing equipment.
- **Guidelines** No. 1 date 18.06.2007 "On control of import and export of ODS substances and the improvement of the Risk Profile for ODS Tariff Code",
- **The Practical Manual of the substances, equipment and products** (ODS refrigerants) gives the instructions that are available for customs officers how to operate in the border point.

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LEGAL AND INSTITUTIONAL FRAMEWORK

DCM 290/2010 covers all issues related to the HCFC phase-out such as: quotas, permits, licensing, monitoring, reporting, penalties etc. Some of the **main provisions related to production, import and export:**

- In Albania are prohibited:
 - Production of ODS, products and mixtures that contain substances set out in Annex A, B, C and E, the Montreal Protocol;
 - Importing and marketing, the export and transit of products and mixtures containing ODS and equipment that use those defined in Annexes A, B, C and E of the Montreal Protocol.
 - Emissions into the air, of ODS listed in Annex A, B, C and E of the Montreal Protocol;
 - Importing/exporting of ODS, their products, equipment that contained such substances, from/to a country that is not a party to the Montreal Protocol.
 - Importing of recycled or refined ODS
- Importing of ODS included in Annex C, group 1 is allowed only on the basis of annual quotas set out in their diagram, approved for Albania.
- Import of HCFCs is controlled by the import licensing system.
- There is no production of ODS in the Republic of Albania, which means that the Import - Export is equal to the consumption.

LEGAL AND INSTITUTIONAL FRAMEWORK

- Legislation on ODS to be revised
- Draft DCM on the prevention and reduction of Certain Fluorinated Greenhouse Gases is prepared.
- Draft National Plan on European Integration (2014-2020) foresees transposition of climate change *acquis* in the short and medium term (2014-2016).
- Within 2016, is foreseen the adoption of the full package
 - on fluorinated gases
 - on ozone depleted substances,
 - on monitoring, reporting and verification of GHG emissions;

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IMPLEMENTATION OF LEGISLATION

- Ministry of Environment and Ministry of Finance/Customs are the competent authority on designing and implementation of ODS legislation.
- National Ozone Project Implementation Unit (NOPIU) is the principal national body responsible for the coordination of the country's actions related to the ozone layer protection and facilitation of the HCFC phase-out.
- By 2008 under the assistance of UNIDO/UNEP, Albania prepared a National ODS Phase-out Plan (NOPP) that allowed the country to phase out all remaining ODS use except HCFCs.
- For the first time, reported consumption of CFC was zero, according to 2008 official statistics

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IMPLEMENTATION OF LEGISLATION

- By August 6, 2011, the ***HCFC Phase-out Management Plan (HPMP)*** , specifically designed to address the issue of ODS (HCFC) consumption phase-out.
- Country has selected the latest estimated HCFC consumption in 2010 as a starting point. This is 120 metric tones of HCFC-22.
- During the years 2010-2013 the same quota for HCFC imported will be applied, the quantity of 120 tones keep freeze.

The year 2014 is the starting point for aggregate reduction in HCFC

- In 2014 it will be reduced by 5% of quantity of HCFC imported in compares with 2013.
- In 2015 it will be reduced by 10 % of quantity of HCFC imported in compares with 2013.
- In 2020 will be 35% reduction of HCFC consumption to compare with 2010
- In 2040 the imported quotas is 29 ton/year, while allowing an annual average of 2.5% for servicing during the period 2030 – 2040

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IMPLEMENTATION OF LEGISLATION

- Albanian Customs Legislation has been improved and actually the Combined Nomenclature of Commodities is up-dated regularly on annual basis as in EU Member States.
- Albania has adopted the International Convention on Harmonized System of Commodity Description and Codification by Law 35/2012
- The IT Customs clearing system is 100 per cent computerized and ODS risk profiles are functional since January 1, 2012. Import of second hand refrigerating or cooling systems is prohibited.
- Inter-agency co-operation between Ministry of Environment / NOPIU and Customs Service is functional as regards law enforcement issues.
- Training activities of customs officers and Customs Lab staff have been realized during 2012 in co-operation with NOPIU and UNEP.
- Last year (May 2013) there was a seizure of 40 cylinders of R-22 in Kakavije BCP (more than 500 metric kg).

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FUTURE PERSPECTIVE

- To transpose and implement the EU legislation on ODS and F-gases in the national legislation.
- To continue the implementation of the import quota system of ODS.
- To improve the customs structure and the legislation to fight the illegal trade of ODS
- To enforce the ODS monitoring system and mainly the reporting system from the local environmental agencies and the national consultants of NOPIU in collaboration with customers
- To continue the training of customs' officers and local environmental inspectors