Mediterranean Network of Law Enforcement Officials relating to MARPOL within the framework of the Barcelona Convention (MENELAS)

Albania



Legal Framework

Law no 9251, date 08.07.2004 “Maritime Code of Republic of Albania” as amended:

Article 376

Sanctions for illicit acts in ports

- physic and legal persons are punishable by a fine of 2,000 (two thousand) Euros, or the equivalent in national currency, for these illegal maritime acts:
- a) if during unloading, loading or transshipment of various minerals or oils are not taking effective measures to protect the discharge, leakage of fuel or appropriate measures to prevent the spread of oil in the sea.
- b) if the marine properties are undertaken activities that may endanger the lives and health of people, which can cause damage to ships and other equipment or pollute marine property;
- c) if have discharged into the sea, solid waste materials, liquid or gaseous polluting, therefore, marine property.
- The responsible person working in the legal institution is punishable by a fine of 1,200 (one thousand two hundred) Euros, or its equivalent in national currency.

Article 389

Sanctions for discharging of waste and pollution

Members of the shop crew will be punished for marine criminal offenses with a fine of 2,000 (two thousand) Euros, or the equivalent in national currency, if they discharge waste overboard within the limits of the waters navigable or materials that could impede or endanger navigation or are the result of contamination.

CRIMINAL CODE OF THE REPUBLIC OF ALBANIA

Article 203

Water pollution

Pollution of the seas, rivers, lakes or the network resource hub cumulative water with toxic, radioactive or other substances that destroy the ecological balance are punishable by one to five years of imprisonment.

The same act, when caused serious consequences to the health of people, is punishable by five to ten years of imprisonment.

Law 8905 dated 06.06.2002 “For the protection of the marine environment from pollution and damage”

Article 6

Prohibited Activities

1. In the marine environment is prohibited:
2. a) the dumping of substances hazardous waste and toxic and explosive;
3. b) the dumping of substances and substances specified in Annex I, which is attached to this law;
4. c) the discharge of hydrocarbons and waste water;
5. d) the discharge of substances and solids, to whatever kind and nature, with the exception of means of fishing equipment and the materials and resources needed for the construction of ports, jetty and other structures, according to the projects approved by the Ministry Environment and the conditions laid down by it;
6. d) the dumping of waste and of any substances from ships, platforms, installations and the coast;
7. f) the transport of substances and hazardous waste;
8. e) the sinking of ships, cargoes and goods of all type;
9. h) the sinking and abandonment of any installation that has served various activities;
10. f) the construction and operation of equipment that emit ionizing radiation;
11. g) combustion of substances and materials of any kind;
12. f) the entry into ports with unclean vessels of any type, tonnage;

Article 18

Carrying out activities prohibited

1. To the subject that practices prohibited activities by Article 6 of this law, when such activities constitute a criminal offense, the Environmental Inspectorate charges against criminal prosecution.
2. If the violation constitutes an administrative offense, the Environmental Inspectorate the immediate termination of the activity and the confiscation of assets of the equipment which is causing pollution;

-little pollution as defined in Article 2 sub 3.2 fined from 10 thousand to 100 thousand Lek;

-pollution of the type described in Article 2 sub 3.1 fined from 500 thousand to 1 million leks;

-dumping at sea by coast fined from 100 thousand to 500 thousand;

-dumping hazardous substances, as defined by Article 6, fined from 500 thousand to 1 million leks;

-polluted waters defined in Article 2 point 8 is fined from 100 thousand to 500 thousand Lek.

Law no 9251, date 08.07.2004 “Maritime Code of Republic of Albania” as amended:

In Albanian Territorial waters the structure for illicit ship pollution discharges is Albanian Coast Guard in cooperation with Ministry of Environment and Ministry of Transport.

In internal waters is the responsibility of a Commission established with the order of the Minister of Transport for the implementation of the procedures of the illicit acts.

Article 369

The definition of marine illicit acts

The definition of illicit acts in maritime

1. A marine illicit act is an illegal action in inland waters, the territorial sea, the sea, in ports and on board of ships for safety of navigation and protection of human life, coasts and sea traffic.
2. Procedures for marine illicit work carried out according to legal framework, pursuant to this Code.

Article 370

Commission for enforcement procedures for illicit acts

1. The procedures for maritime illicit acts is conducted by a commission set up in the harbour master offices.
2. This commission covers a specific area or two harbour master offices.
3. The composition, the organization and functioning shall be determined by order of the Minister of Transport.

Article 371

The appeal of the commission’s decision

The decision taken by the commission of an illicit maritime will be appealed to the Ministry that covers this area.

There is no aerial surveillance activity carried out in Albanian waters.

There are no annual reports on activities related to illicit ship pollution discharges available in Albania.

Operational Structure

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Surveillance Operations

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Annual Reports

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