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PAMANCA
Protected Areas Matter Advocating for Nature Conservation in Albania

ANALYTICAL REPORT

LEGAL, REGULATORY AND INSTITUTIONAL FRAMEWORK FOR PROTECTED AREAS IN ALBANIA

EcoAlbania

RES PUBLICA

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This report is the result of the PAMANCA project – The Importance of Protected Areas: Advocacy for Nature Conservation in Albania, funded by the European Union and implemented by EcoAlbania in cooperation with ResPublica and the Free Thinking Forum.

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ABBREVIATIONS

BE - European Union
BS - Buffer Subzone
CBD - Convention on Biological Diversity
CM - Council of Ministers
CS - Core Subzone
DCM - Decisions of the Council of Ministers
ED - Environmental Declaration
IUCN - International Union for Conservation of Nature
LCHS - Landscape and Cultural Heritage Subzone
MP - Management Plans
MTE - Ministry of Tourism and Environment
NAPA - National Agency of Protected Areas
NCTW - National Council of Territory and Water
NTC - National Territorial Council
PA - Protected Areas
RaPA - Regional Administrations of Protected Areas
RS - Recreation Subzones
SCI – Site of Community Importance
SIEFWT-State Inspectorate for Environment, Forests, Water and Tourism
SPA – Special Protection Area
TSUS - Traditional and Sustainable Use Subzones
ZAPK - National Parks Administration Offices
ZM - Protected Areas

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I. INTRODUCTION

Albania, although a relatively small country, represents one of the most biodiverse countries in Europe, known for its exceptional natural wealth and unique biodiversity that extends from the Northern Alps to the southern coasts. Protected Areas (PAs) are the core of this national treasure, covering over 21% of the country's territory. They constitute the habitat of thousands of rare plants and animal species, many of which are protected at European and global levels. Furthermore, protected areas preserve critical ecosystems that provide vital services for local communities and beyond, such as air and water purification, soil conservation, and protection from natural disasters.

According to the National Agency of Protected Areas (NAPA),[1] these areas have experienced a significant increase in interest, not only for their natural values but also for their social and economic role. During the years 2023–2024, the number of visitors has increased considerably, reflecting the growing importance, appreciation, and public interest in the natural environment. This increases responsibility and the need for careful management, to ensure that the use of these areas does not compromise their ecological integrity. Effective management of these areas depends entirely on a clear, coherent, and enforceable legal, regulatory, and institutional framework.

For many years, the main point of reference has been Law No. 81/2017 "On Protected Areas", which was drafted with the ambition to modernize sectoral legislation and to align it with the standards of the European Union (EU) and the best practices of the International Union for Conservation of Nature (IUCN). This law established clear principles for the protection, management, and zoning of Protected Areas, prioritizing nature conservation.

The adoption of Law No. 21/2024 marked a dramatic turning point. The law rewrote the basic philosophy of protection by shifting the priority from conservation toward the internal economic development of protected areas themselves, from "nature conservation" to "openness to investment." As a result, the regulatory framework has been "reconfigured," signaling a clear shift in the state paradigm: from nature protection as a priority toward a model that paves the way for intensive economic and tourism-related development and strategic investments within protected areas themselves. This has raised serious concerns regarding compliance with international conservation standards and has created profound legal uncertainty, sounding the alarm for a dangerous regression in protection standards.

Along the same lines, Law No. 20/2025 on the "Mountains Package," adopted one year later, abolishes the principle of the inalienability of state forests by treating them as economic assets that may be sold for 1 euro in exchange for "development" projects. The fast-track permitting mechanism of the National Territorial Council (NCTW) bypasses existing spatial plans, creates broad fiscal incentives, and—together with Law No. 21/2024—forms a new normative "oxygen" in which the priority of conservation is replaced by the logic of short-term profit.

Taking these radical changes into account, this report provides an in-depth analysis of the framework for protected areas, identifying challenges, shortcomings, and opportunities for improvement.

1. www.akzm.gov.al

II. METHODOLOGY

The methodology used for the preparation of this report includes a detailed analysis of existing legal and sub-legal acts, a review of current institutional practices, judicial cases, as well as consultation of data from the National Agency of Protected Areas (NAPA) and other relevant institutions. The report is structured into two main parts:

Part One presents an overview of the state of the legal, regulatory, and institutional framework, explaining the architecture of the system, including the fundamental changes introduced by the 2024 amendments.

The final objective is to equip policymakers, stakeholders, and the public with a solid informational basis and an objective analysis of the legal, regulatory, and institutional framework, highlighting the immediate challenges facing nature conservation and Albania's European integration trajectory in this regard.

The assessment, analyses, and drafting of the proposed amendments were based on the following criteria: the guidelines of the International Union for Conservation of Nature (IUCN) and European Union legislation:

IUCN guidelines

- Dudley, N. (ed.) (2008). Guidelines for Applying Protected Area Management Categories. (Udhëzime për përdorimin e kategorive të menaxhimit të zonave të mbrojtura) Gland, Zvicër: IUCN. Dudley, N., Shadie, P. and Stolton, S. (2013). Best Practice Protected Area Guidelines Series No. 21. (Seria nr. 21 e udhëzimeve të praktikave më të mira për zonat e mbrojtura) Gland, Zvicër: IUCN.
- Lausche, Barbara. (2011). Guidelines for Protected Areas Legislation. (Udhëzime për Legjislacionin për Zonat e Mbrojtura). IUCN, Gland, Zvicër.
- Borrini-Feyerabend, G., N. Dudley, T. Jaeger, B. Lassen, N. Pathak Broome, A. Phillips dhe T. Sandëith (2013). Governance of Protected Areas: From understanding to action. Best Practice Protected Area Guidelines Series No. 20 (Qeverisja e Zonave të Mbrojtura: Nga të kuptuarit te veprimi. Seria nr. 20 e udhëzimeve të praktikave më të mira për zonat e mbrojtura), Gland, Zvicër: IUCN.
- Thomas, Lee and Middleton, Julie, (2003). Guidelines for Management Planning of Protected Areas. IUCN Gland, Sëitzerland and Cambridge, UK

EU legislation:

- Council Directive 79/409/EEC "on the conservation of wild birds" (Birds Directive), 25 April 1979 (last amended by Directive 2009/147/EC)
- Council Directive 92/43/EEC "on the conservation of natural habitats and of wild fauna and flora" (Habitats Directive), 21 May 1992.

The relevant Albanian laws and sub-legal acts reviewed for the purposes of this assessment are presented in the attached Annex 2 – Relevant Legal Framework, structured as follows:

i. Laws;
ii. first-level sub-legal acts, including Decisions of the Council of Ministers (DCMs);
iii. second-level sub-legal acts, including Orders and Instructions of the Minister responsible for Protected Areas; and
iv. expected future sub-legal acts (which have not yet been adopted), as envisaged by the Law on Protected Areas, as implementing instruments for specific provisions of the Law on Protected Areas.

III. OVERVIEW OF THE CURRENT STATE OF THE LEGAL, REGULATORY AND INSTITUTIONAL FRAMEWORK

3.1 Constitutional Basis

The legal framework for environmental protection and, in particular, for Protected Areas (PAs) in Albania derives from the fundamental principles enshrined in the Constitution of the Republic of Albania. These principles not only establish obligations for the state but also guarantee fundamental rights for citizens, thereby creating the foundation upon which the entire sectoral legislation is built.

- **Article 56 of the Constitution** guarantees everyone the right to be informed about the state of the environment and its protection. This provision constitutes a pillar of the principles of transparency and public participation, providing citizens and civil society with a constitutional instrument to hold public institutions accountable.

- **Article 59, paragraph 1(d)** sets out the state's objective to ensure "a healthy and ecologically suitable environment for present and future generations." This provision embodies the principle of sustainable development and the intergenerational obligation to preserve natural heritage, including biodiversity and ecological balances..

- **Article 122** establishes the supremacy of ratified international agreements over domestic legislation that is inconsistent with them. This provision is vital, as it renders international environmental law, including key conventions, directly applicable and prevailing within the Albanian legal system.

3.2 Normative Hierarchy and the Role of International Conventions

The regulatory framework for Protected Areas (PAs) is structured within a clear hierarchy, with the Constitution at its apex, followed by international agreements, laws adopted by Parliament, and sub-legal acts issued by the Council of Ministers and the relevant ministries. Albania is a party to several key international conventions that shape its nature conservation policies and legislation, among which are listed.

- **The Bern Convention** "on the Conservation of European Wildlife and Natural Habitats" (ratified in [1998]) establishes obligations for the protection of species and habitats, particularly those that are endangered. It requires the Contracting Parties to take nature conservation into account in their planning and development policies. [1] The Standing Committee of the Convention has actively monitored Albania, expressing "serious concern" in cases such as the hydropower plants on the Vjosa River and the impacts of the Vlora Airport[2], which it considers potentially incompatible with the obligations of the Convention.

2. https://rm.coe.int/2023-rec-219e-vlora-airport-rev/1680ad922d

- **The Ramsar Convention** "on Wetlands of International Importance" (acceded to by Albania in 1996) obliges the country to identify, designate, and ensure the wise management of wetlands of international importance. This framework includes areas such as Butrint National Park and the Karavasta Lagoon, as well as the transboundary Lake Shkodra–Buna River complex. This entails the obligation to preserve the ecological character of these wetlands and to promote the principle of their "wise use".

- **The Convention on Biological Diversity (CBD)** (ratified in 1994) has as its primary objectives the conservation of biodiversity, the sustainable use of its components, and the fair and equitable sharing of benefits. Article 8 specifically mandates the Contracting Parties to establish and manage a system of protected areas to achieve the in-situ (on-site) conservation of biodiversity.

- **The Aarhus Convention** (ratified in 2000) is a key instrument for environmental democracy, guaranteeing three pillars: the public's right to access to environmental information, the right to participate in environmental decision-making, and the right of access to justice. This convention provides the legal basis for NGOs and citizens to challenge administrative decisions and legal acts that harm the environment.

IV. PRIMARY LEGISLATION

4.1 Analysis of Law No. 81/2017 "On Protected Areas", prior to the 2024 amendments

Law No. 81/2017 "On Protected Areas" (the 2017 PA Law), which repealed the previous law of 2002, constitutes the fundamental legal act regulating the system of protected areas in Albania. Drafted with the aim of aligning with international and EU standards, this law established a modern framework for the management of the country's natural heritage.

The 2017 PA Law aims at the designation, conservation, administration, management, and sustainable use of environmentally protected areas and their natural and biological resources. This law defines the basic principles, categories of protected areas, designation procedures and protection criteria, as well as the responsibilities of public and private institutions in their conservation. Its primary objective is to ensure sustainable development and the special protection of biodiversity within these areas, in the interest of society and future generations. The 2017 PA Law was partially aligned with Council Directive 92/43/EEC of 21 May 1992, "on the conservation of natural habitats and of wild fauna and flora," as amended, with the aim of harmonizing with European standards for nature conservation.

4.1.1 Scope of Application and Principles

Articles 1, 2, and 4 of the 2017 PA Law provide that the scope of application of the law covers the designation, conservation, administration, management, and sustainable use of protected areas and their natural and biological resources, based on the principle of sustainable development, to ensure the fulfillment of environmental, economic, social, and cultural functions. They also define the responsibilities of public institutions and private natural and legal people for the conservation and sustainable administration of protected areas.

The principles governing the management of protected areas are as follows::

a sustainable development;
b integration of environmental protection policies into economic development policies;
c application of the "polluter pays" principle";
d prevention and the precautionary approach.

4.1.2 Levels of Protection and Categories of PAs

Articles 3, 48, 49, and 50 of the 2017 PA Law expressly establish three levels of protection, ranging from Level (I) of strict protection, which requires the comprehensive protection of biodiversity and the safeguarding of undisturbed natural areas, to Level (III) of protection, which requires the conservation of nature and biodiversity in harmony with the development of socio-economic and tourism activities, as well as infrastructure for local residents and the business community. Level (II) of protection is intended to ensure the primary conservation of biodiversity and the maintenance of a natural area only slightly disturbed by traditional and ecotourism activities.

Articles 6 and 14 of the 2017 PA Law provide that protected areas in Albania are of national and international importance.

Article 9 specifies the general objectives applicable to all categories of protected areas: The overall objective of all protected areas is:

- to exclude protected areas from exploitation or occupation by intensive activities.
- to prohibit the construction of urban areas, as well as highways, railways, high-voltage power lines, major hydraulic works, and long-distance oil and gas systems.
- to prohibit the alteration of the natural state of water bodies, springs, lakes, and wetlands.

The same article also prohibits, within protected areas, the use of land through intensive technologies, means, or methods that cause substantial changes to biodiversity, the structure and functions of ecosystems, or that irreversibly damage the land surface.

The national categories of protected areas, classified in accordance with the standards of the International Union for Conservation of Nature (IUCN), are as follows: strict nature reserves/scientific reserves – Category I (Article 15); national parks – Category II (Article 16); natural monuments – Category III (Article 17); managed nature reserves/nature parks – Category IV (Article 19); protected landscapes – Category V (Article 20); protected areas of managed resources/multiple-use protected areas – Category VI (Article 21); green belts (around cities) – Category V; and municipal nature parks – Category IV (Articles 23 and 24).

Furthermore, Articles 22 and 25 contain provisions on marine protected areas and transboundary protected areas.

Articles 26–32 of the 2017 PA Law contain provisions on protected areas of international importance, including Ramsar sites, Sites of Community Importance (SCIs) and Special Protection Areas (SPAs) (future Natura 2000 sites), Emerald sites, biosphere reserves, and natural heritage areas.

4.1.3 Relevant Institutions and Actors

Article 3 of the Law on Protected Areas provides definitions of the key concepts used in the Law on Protected Areas, specifically identifying the authorities responsible for and involved in the protection and management of Protected Areas (PAs): (i) the Protected Areas Administration (PAA) – Article 3(1); (ii) the Regional Protected Areas Administrations (RPAs) – Article 3(2); (iii) the National Agency of Protected Areas (NAPA) – Article 3(3); and (iv) the Minister and the Ministry responsible for Protected Areas – Articles 3(12) and 3(13).

Articles 37–41 of the Law on Protected Areas provide that responsibilities for the establishment of protected areas and their management are shared among the Ministry responsible for Protected Areas, the National Agency of Protected Areas (NAPA), the Regional Administrations of Protected Areas (RPAs), and the Municipalities and Management Committees.

The Ministry responsible for the environment is the central policymaking institution for the protection and management of protected areas in the Republic of Albania. It is responsible for:

- proposing the designation, modification, and revocation of protected areas,
- drafting and approving management plans for protected areas,
- zoning,
- the expansion and/or reduction of the area of protected areas and
- the review of the status of protected areas

The competent Ministry, in cooperation with other ministries, municipalities, the interested public, civil society, and private landowners whose land is located within the territory of the protected area, approves the management plan for each protected area.

The National Agency of Protected Areas (NAPA), operating under the authority of the Minister, is the central state institution responsible for protected areas throughout the territory of the Republic of Albania, including their management and control; at the local level, it is organized regionally in the form of Regional Protected Areas Authorities. The structure and organization of NAPA and the institutions under its authority are approved by a decision of the Prime Minister.

The Regional Administrations of Protected Areas (RPAs) are institutions operating under the authority of the National Agency of Protected Areas (NAPA), with headquarters in each county, and constitute the specialized local institutional network responsible for the protection and development of protected areas within the territory of the county.

In exercising their functions related to protected areas, municipalities cooperate with the Regional Administrations of Protected Areas and the administrations of the respective areas and, in accordance with the organic law and their capacities, establish their own environmental protection units.

To monitor the implementation of management plans in protected areas, Management Committees are established, composed of the municipality within whose administrative territory the protected area is located, the National Agency of Protected Areas (NAPA), local institutions with a direct connection to the protected area—such as those responsible for agriculture, tourism, and infrastructure—civil society, and representatives of forest and pasture owners within protected areas, and are chaired by the Prefect.

The Ministry, the National Agency of Protected Areas (NAPA), and local government encourage initiatives, projects, and programs aimed at improving the ecological and natural indices of protected areas. Land within protected areas may be privately or publicly owned.

With regard to private property and the administration of private property covered by this law, privately owned land and private facilities are administered and used by the owner(s) or lawful holders solely in accordance with the requirements of the management plan of the protected area concerned.

Private owners whose properties are included within an environmentally protected area, as well as the users of such properties, participate in the planning, conservation, and use of the area's natural resources. They cooperate with the area administration and comply with the established rules, management plans, and programs developed for the sustainable development of the area.

4.1.4 The Process of Planning, Establishment, and Review of Protected Areas

Protected areas within the territory of the Republic of Albania constitute national assets; ownership of immovable property within environmentally protected areas is either state or private (Article 7).

The planning, coordination, and guidance for the establishment of the national system of environmentally protected areas are specified in the Specific Plan for the entirety of protected areas. The Ministry, in cooperation with the National Agency of Protected Areas (NAPA), drafts the Specific Plan, which is approved by an Order of the Minister (Article 5).

The identification and administration of protected areas are carried out in accordance with the Specific Plan for Protected Areas and the management plan of the country's ecological network, as well as other strategic documents in the field of nature conservation (Article 10)

Protected areas are designated by a decision of the Council of Ministers, upon the proposal of the Minister responsible for protected areas. The decision designating an environmentally protected area specifies its name, category, surface area, managing institution, conservation objectives, and the level of protection of the sub-zones within the protected area. The designation of a protected area is carried out in accordance with the National Plan for Protected Areas **(Articles 5 and 10)**.
For the designation of protected areas, the authorities and interested stakeholders listed below must provide their opinions:

- the municipality within whose administrative territory the area is located,
- civil society,
- the local community and
- owners whose properties will be included within the protected area

4.1.5 Zoning, Uses, and Activities

- **Zoning**

Zoning aims to implement the level of protection and to reflect the characteristics of each sub-zone, taking into account the nature of the area, the types of human activities carried out, and their impact on the environment. Internal zoning must form part of the Decision of the Council of Ministers designating a protected area, and shall at a minimum include the name, surface area, and level of protection of each designated sub-zone (Article 10:3)

The internal zoning of protected areas is also approved by the National Territorial Council (NTC), upon the proposal of the Minister, prior to the entry into force of the relevant decision of the Council of Ministers designating the specific environmentally protected area for which the internal zoning is to be approved (Article 13:6).

The 2017 PA Law contains two articles addressing zoning in protected areas (Articles 13 and 47); however, they refer to different types of information concerning the areas.

According to Article 13, protected areas classified as "Strict Nature Reserves" and "Natural Monuments" do not have sub-zones, but only a surrounding buffer zone, whereas the territory of protected areas within Natural Parks, Managed Nature Reserves, and Protected Landscapes is divided into sub-zones and includes:

- the core sub-zone (CS) – levels A and B – whose primary function is the conservation of biodiversity and the safeguarding of an undisturbed natural area, where the first level of protection (strict protection) is applied);
- the traditional and sustainable use sub-zones (TSUS), whose function is the primary conservation of biodiversity and the maintenance of a natural area only slightly disturbed by traditional and ecotourism activities, where the second level of protection is applied;
- the recreation sub-zones (RS), whose function is the conservation of nature and biodiversity in harmony with the development of socio-economic and tourism activities, as well as infrastructure for local residents and the business community, where the third level of protection is applied;
- the buffer sub-zone (BS)
- the landscape and cultural heritage sub-zone (LCHS)

Article 47 specifies zoning in a different manner; internal zoning is approved by a Decision of the Council of Ministers designating the protected area and may include:

- the core zone,
- the recreation and traditional use zone and
- the sustainable development zone

In fact, Article 47 provides that "internal zoning may include …", with the key word here being "may", whereas the detailed and mandatory provision is set out in Article 13. The internal sub-zoning of a protected area is carried out in accordance with the Protected Area Management Plan, based on the requirements for the zoning of the territory of a protected area, as approved by an Order of the Minister..

Article 13:3 provides that: (a) in the core sub-zone, whose function is the comprehensive conservation of biodiversity and the safeguarding of an undisturbed natural area, the first level of protection is applied; (b) in the traditional and sustainable use sub-zones, whose function is the primary conservation of biodiversity and the maintenance of a natural area only slightly disturbed by traditional and ecotourism activities, the second level of protection is applied; and (c) in the recreation sub-zones, whose function is the conservation of nature and biodiversity in harmony with the development of socio-economic and tourism activities, as well as infrastructure for local residents and the business community, the third level of protection is applied.

Permitted activities

Articles 33, 34, and 56 of the Law on Protected Areas set out the activities that are permitted or may be permitted to be carried out within protected areas.

Within environmentally protected areas, economic, social, tourism, research-scientific, and any other activities provided for in the Management Plan and not expressly prohibited by this law may be carried out.

In the Management Plan, for each sub-zone, the prohibited activities and those requiring a permit and/or approval issued by the protected area administration are clearly and in detail specified.

Permitted economic activities must at all times be in compliance with the Management Plan and the decision of the National Territorial Council. An exception to the requirement for prior approval applies to military activities, which may be carried out once they have been granted an environmental permit.

Table 1. Activities permitted in all protected areas upon obtaining a permit

1. Activities that are permitted to be carried out in all environmentally protected areas after obtaining prior approval from the competent authorities include:		
Any activity in accordance with the Management Plan;	Monitoring of the environmental status, ecosystems, habitats, and floristic and faunal species;	Necessary interventions for regeneration and restoration
Structures in accordance with the provisions of the Management Plan serving tourism activities	Any other activity in accordance with the decision of the National Territorial Council.	
2. In protected marine, lake, and river areas, the following activities are permitted to be carried out after obtaining prior approval:		
Any activity in accordance with the Management Plan;	Monitoring of environmental conditions, ecosystems, habitats, and flora and fauna species;	Scientific research studies, including studies in the field of cultural heritage;
Temporary, lightweight, seasonal, and environmentally friendly tourism-related structures.	Any other activity in accordance with the decision of the National Territorial Council.	

3. Forests within environmentally protected areas are excluded from classification as productive forests.

All interventions necessary for the regeneration and restoration of various ecosystems are carried out only if they are предусмотред in the Management Plan or arise as a result of natural emergencies, in accordance with the technical project and with the approval of the National Agency of Protected Areas (NAPA).	The interventions necessary for regeneration and restoration are carried out by residents of protected areas for the purpose of meeting their heating needs, on the basis of prior approval by the Regional Administration of Protected Areas (RAPA) and an approved nominal list of area residents, confirmed by the unit administrator.
If and when such assets are privately owned, they shall be managed and used by the owner or lawful user solely in accordance with the area's management plan and subject to the prior approval of the protected area administration.	The management of forests and forest resources, waters and aquatic resources, as well as other assets, whether publicly or privately owned, located within a protected area, is carried out by the protected area administration in accordance with the area's Management Plan. The administration performs these activities directly, through the local community and/or through an entity authorized by it.

4. The management of waters and aquatic resources, as well as other assets, whether publicly or privately owned, is carried out by the protected area administration in accordance with the area's management plan.	
In marine and coastal protected areas, fishing for commercial purposes is prohibited, in accordance with the provisions of the legislation in force on fisheries and aquaculture. Commercial fishing is permitted only in marine and coastal protected areas falling within Categories IV, V, and VI, following approval by an order of the Director General of the National Agency of Protected Areas (NAPA) setting out the conditions to be applied to fishing in such areas.	Upon the entry into force of the Law on Protected Areas, fishing in marine and coastal protected areas, as well as fishing in inland waters regulated by the legislation in force on fisheries and aquaculture, shall, prior to being approved as an activity, obtain approval by order of the Minister. In cases where the activity is already being carried out because it has been previously approved or contracted, the applicable rules shall be determined in an agreement between the entity carrying out the fishing activity and the Regional Administration of Protected Areas covering the relevant marine or coastal protected area, on the basis of the area's conservation objectives, the requirements of its management plan, and the fishing permit granted.
If and when such assets are privately owned, they shall be managed and used by the owner or lawful user solely in accordance with the area's management plan and subject to the prior approval of the protected area administration.	The management of forests and forest resources, waters and aquatic resources, as well as other assets, whether publicly or privately owned, located within a protected area, is carried out by the protected area administration in accordance with the area's Management Plan. The administration performs these activities directly, through the local community and/or through an entity authorized by it.

Prohibited activities

While Article 51 provides that hunting is prohibited in all categories of environmentally protected areas, Articles 48, 49, and 50 further specify in detail which activities are prohibited in each sub-zone, for all protected areas where sub-zoning is applicable, as set out in the table below.

Table 2. Activities prohibited in all Protected Areas

Sub-zones	Prohibited activities
Core Zone (Article 48)	**In the core sub-zone (Level A), the following activities are prohibited:** a the cutting of trees and shrubs; b the use of chemicals and chemical fertilizers; c construction of any kind; d the extraction of minerals and peat; e lighting fires; f grazing, the passage of domestic animals, and the construction of facilities for their keeping; g the establishment of recreational, leisure, and sports facilities; h movement along trails, with the exception of the landowner or lawful land user; i movement by motor vehicles of any kind, with the exception of vehicles of the protected area administration and firefighting services; j navigation by boats, canoes, and other watercraft; k intensive breeding of wild fauna species that are subject to hunting. **In the core sub-zone (Level B), the following activities are prohibited:** a land use through intensive technologies, means, or methods that cause fundamental changes to biodiversity, the structure and functions of ecosystems, or irreversibly damage the land surface; b the disposal or neutralization of waste originating from outside the territory of the national park; c the introduction of non-native animal and plant species when they cause changes to the area's biodiversity; d intensive breeding, with the exception of rescue breeding; e the construction of roads, highways, railways, urban areas, hydropower plants, high-voltage power lines, and long-distance oil and gas systems; f the washing and spraying of roads with chemicals; g the establishment of monoculture forests; h lighting fires outside designated places and points; i the movement of transport vehicles outside designated roads; j the extraction of minerals, stones, and peat, with the exception of stone and sand for park maintenance; k mass sporting and tourism activities outside designated areas; l the organization of car and motorcycle races;

Sub-zones	Prohibited activities
Traditional and Sustainable Use Sub-zone (Article 49)	**In the traditional and sustainable use sub-zone, the following activities are prohibited:** a alteration of the natural state of water bodies, springs, lakes, and wetlands; b the storage or disposal of chemicals; c the movement and parking of vehicles outside public roads and designated parking areas; d the intensive collection of plants, minerals, paleontological finds, and stones; e the installation of stands, information boards, advertisements, signs, and posters, with the exception of those providing information on the conservation objectives of the reserve; f alpine climbing, skiing, camping, and lighting fires outside designated sites and trails;
Recreation Sub-zone (Article 50)	**In the sustainable use and recreation sub-zone of an environmentally protected area, the third level of protection applies, under which the following are prohibited:** a the establishment of monoculture forests; b the neutralization of waste and the lighting of fires outside designated places and points; c the introduction of non-native animal and plant species; d the construction of highways, navigable canals, and urban areas; e the movement of transport vehicles outside designated roads and areas.

4.1.6 Governance and Forms of Management/Administration

With regard to the forms of administration of protected areas, the 2017 PA Law includes the following provisions:

Article 8 defines the forms of administration/management of environmentally protected areas, providing for four options: (i) state; (ii) private; (iii) municipal; and (iv) combined. The form of administration/management for each specific area is determined in the decisions of the Council of Ministers approving the establishment of the area, the change of its status, or the change of its surface area, upon proposal by the Ministry, following consultation with the local community and private owners, and with the written approval of the relevant municipality in whose territory the area is located.

Under any form of administration, the management and conservation of the area are based on and apply the same principles, rules, and requirements as those specified in the laws on protected areas and the sub-legal acts adopted for their implementation.

Articles 37, 38, 39, and 40 (under Chapter IV – Protected Areas Management Structures) list and define the institutions involved in the management of protected areas and set out the main roles and responsibilities of these institutions, respectively at the state/central government level: the Ministry (Article 37), the National Agency of Protected Areas (Article 38), and the Regional Administrations of Protected Areas (Article 39); and at the local government level: municipalities (Article 40).

Article 42 concerns the Management Plans (MPs) of protected areas and provides that the MP is prepared by the National Agency of Protected Areas and approved by the Ministry for a ten-year period, in cooperation with other stakeholders, such as line ministries, municipalities, the interested public, environmental NGOs, and private owners whose properties are located within the territory of the protected area.

During the preparation of management plans for protected areas, the objectives and requirements of related sectoral policies, plans, and programs are taken into account and integrated into national, regional, and local decision-making processes affecting protected areas. This article also provides for the mandatory elements of the Management Plan, which include, inter alia, the management objectives of the protected area as well as the governing mechanisms and managing institution. The structure of the management plan, its content, and the criteria for its review shall be approved by an order of the Minister.

Article 43 provides that Management Plans are implemented by the respective Regional Administrations of Protected Areas. This article further provides that the implementation of elements of the management plans may be carried out by natural or legal persons, public or private, domestic or foreign, as well as by civil society, in compliance with the rules and procedures set out in the legislation, on the basis of technical criteria approved by an order of the Minister, pursuant to Article 42 of this Law on Protected Areas.

Article 46 provides, that the management of forests and forest resources, waters and aquatic resources, as well as other assets, whether publicly or privately owned, located

within a protected area, is carried out by the protected area administration in accordance with the area's Management Plan. The Protected Areas Administration performs these activities directly, through the local community and/or through an entity authorized by it. If and when such assets are privately owned, they shall be managed and used by the owner or lawful user solely in accordance with the Management Plan and subject to the prior approval of the Protected Areas Administration.

Article 56 provides, inter alia, that within protected areas activities may be carried out only after an environmental permit has been obtained in advance or after written approval has been granted by the Protected Areas Administration, where this is expressly required by the Law on Protected Areas. The National Agency of Protected Areas and the Regional Administrations of Protected Areas draft regulations for visitors, which are published and displayed in visible locations within protected areas.

4.1.7 Supervision and Coordination

Article 41 provides that Management Committees (MCs) are established to monitor the implementation of management plans in protected areas. The MC is composed of the municipality/municipalities within whose administrative territory the protected area is located, the National Agency of Protected Areas, local institutions with a direct link to the area—such as those responsible for agriculture, tourism, and infrastructure—civil society, and representatives of forest and pasture owners within protected areas. The MC operates in accordance with a self-adopted regulation, while the function of the Technical Secretariat, which administers all documents reflecting the work carried out by the Committee, is performed by the Protected Areas Administration. Upon the proposal of the Minister, the Council of Ministers approves, by decision, the duties and responsibilities of the Management Committees of protected areas.

4.1.8 Të ardhurat e ZM–ve dhe fondet buxhetore:

Law No. 81/2017 provides that the financing of protected areas derives from three main source:

- State Budget: Covers the majority of expenditures, primarily salaries and operational costs.
- Donations: Funds from international donors and EU-funded projects.
- Self-generated revenues: Fees from entrance tickets, fees for the conduct of economic activities, rents, fines, etc.

According to a financial plan prepared in 2019 by the National Agency of Protected Areas with assistance from foreign donors[3], the State Budget accounts for approximately 90% of the Agency's total funding, while self-generated revenues represent a very small share (around 7–9%).

3. https://www.undp.org/sites/g/files/zskgke326/files/2022-11/Albania%20PAs_Financial%20plan.pdf

With regard to protected areas revenues and budgetary funds, the 2017 PA Law contains the following provisions:

Article 5(6) provides that the costs of establishing, conserving, and administering the national system of environmentally protected areas are financed from the State Budget and donations.

Article 38(5)/h provides that the National Agency of Protected Areas (NAPA) is responsible for the financial management of the protected areas network.

Article 57 concerns the sources of funding and their use. It provides that the management of environmentally protected areas is financed by the State Budget and other lawful sources, stipulating that the National Agency of Protected Areas (NAPA) is responsible for administering all revenues generated from economic activities within the territory of environmentally protected areas.

The rules for the use of services provided by protected areas, as well as the payment of related fees and charges, are determined by an order of the Minister, upon the proposal of the National Agency of Protected Areas (NAPA).

An exception to this provision applies when parts of protected areas are administered by institutions subordinate to the Minister responsible for cultural heritage, which are designated as cultural heritage sites.

Article 58 defines the categories of revenues generated from fees paid and the rules for their use. More specifically, this article provides for the following categories of revenues:

- fees paid by visitors and tourists to access the area;
- fees paid for carrying out activities within the protected areas;
- monetary values of damages paid by those causing harm to the area;
- various donations;
- fees paid by transport operators within their territories; and
- other revenues not specifically provided for by law.

Furthermore, this article provides that the revenues generated from fees in protected areas, as well as the measures and criteria for their use, are determined by a decision of the Council of Ministers, upon the proposal of the Minister. The use of these revenues is not subject to public procurement rules and must be used for:

- investments in protected areas;
- covering expenses for seasonal employment for activities within protected areas;
- preparation of management plans and the inventory of forests, pastures, flora and fauna, and fire risk;
- afforestation projects, improvements, erosion control, and trail development in protected areas;
- control of diseases and pests;
- measures for fire prevention and protection;
- feeding, care, and provision of living conditions for wildlife;
- measures for the prevention and control of erosion;

- construction and maintenance of infrastructure within protected areas, including communication networks, mountain paths, fences, and buildings;
- purchase of communication and transport equipment, mobilization, and improvement of working conditions for Regional Administrations of Protected Areas (RPAs) and fieldwork;
- publications, awareness-raising, education, and public information;
- habitat rehabilitation, removal, and management of invasive alien species;
- support for the traditional activities of local communities

Article 59 establishes the Special Fund for Protected Areas, funded from revenues and donor contributions, which is used with the approval of the Minister to address emergencies, rehabilitate the impacts of fires or floods, natural disasters, plant or wildlife infections, and to mitigate the negative effects of climate change in protected areas, including mandatory interventions against alien species.

The amount of the Special Fund for Environmentally Protected Areas, its sources, and rules for its use are approved by a decision of the Council of Ministers, upon the joint proposal of the Minister and the Minister responsible for finance.

Table 3 below provides in detail the legal provisions for the planning, allocation, and expenditure of funds, as well as the competent authorities for each category of revenues.

Table 3. Fees and Administration

Category of Revenues (Article 58:2)	Existing Legislation – Authorities
Fees paid by visitors and tourists to access the area; Fees paid for carrying out activities conducted within protected areas; Fees paid by transport operators within the territories of protected areas	**Council of Ministers -** As provided in Article 58(4) of the Law on Protected Areas ● Specifies in detail the type/subcategory ● Determines their amount ● Establishes the criteria for their use **Minister –** As provided in Article 57(4) ● Determines the regulations for the use of services provided by protected areas **NAPA –** As provided in Articles 38(5)/h, 57(2), and 58(3) of the Law on Protected Areas; CMs 1156/2020, 302/2019, 102/2015 ● Determines the annual projection of revenues ● Determines the allocation of revenues for the annual expenses of protected area projects
Monetary amounts of damages paid by those causing harm to the area;	**Council of Ministers –** As provided in Articles 58(3) and 68(3) of the Law on Protected Areas ● Specifies in detail the type/subcategory ● Determines their amount ● Establishes the criteria for their use **NAPA – As provided in CM 1156/2020; CM 102/2015** ● Determines the allocation of revenues for the annual expenses of protected area projects
Various donations and revenues not provided for in the Law on Protected Areas.	**NAPA –** As provided in Articles 38(5)/h, 57(2), and 58(3); CMs 1156/2020 and 102/2015 ● Determines the allocation of revenues for the annual expenses of protected area projects

4.1.9 Monitoring and Inspection

Article 60 provides that the National Agency of Protected Areas (NAPA) is responsible for directing, organizing, and monitoring the implementation of the plan, conducting periodic annual oversight, reporting the results of its monitoring, and managing the publication of relevant data on its official website. In the implementation of monitoring programs, NAPA may engage research institutions, as well as public or private entities specialized in this field, in accordance with the legislation in force on public procurement.

The monitoring of activities within environmentally protected areas is carried out by the Regional Administrations of Protected Areas and by entities engaged by them for monitoring, as well as by entities conducting permitted activities in the protected areas, which self-monitor the activities they carry out in accordance with the requirements specified by NAPA under the area's monitoring program and report the results of self-monitoring to the respective Regional Administration of Protected Areas.

Article 66 defines the inspection responsibilities, which are carried out by the Forestry Police Inspectorate and the Protected Areas Administrations. Both report to the National Agency of Protected Areas (NAPA).

4.2 Analysis of Law No. 21/2024 (2024 Amendments)

In February 2024, the Parliament adopted Law No. 21/2024 "On Some Additions and Amendments to Law No. 81/2017 'On Protected Areas'", which introduced substantial and controversial changes to the existing framework. This law was initiated by a group of ruling party deputies, arguing that economic development within protected areas needed to be facilitated to respond to the demands of certain mayors. The initial draft provided, among other things, that up to 20% of the territory of protected areas could be transferred to municipalities for administration.

During the legislative process, the government replaced the initial proposals with a new version, shifting the emphasis to the decisive role of the National Territorial Council (NTC) in permitting developments within the areas. Despite widespread opposition from civil society, environmental experts, international organizations, and the opposition, the law was adopted on 22 February 2024. The approved amendments represent a paradigm shift from the traditional approach of strict nature conservation to a model that opens protected areas to tourism and economic investments. Below are the main changes introduced by Law 21/2024 to the base Law No. 81/2017, structured by key thematic areas and illustrated with a before/after comparison.

4.2.1 New Definitions and Principles Added to the Law

Law No. 21/2024 added several new definitions and principles to the base law, reflecting the new legal approach to protected areas. Accordingly, Article 3 of Law 81/2017 (the definitions article) was supplemented with new terms and amendments as follows:

- "Technical-formal elements of the designation of a protected area" – a new definition (point 6/1) was added, explaining that this term refers to the basic elements in the act of designating a protected area, including the name of the area, the managing institution, zoning and sub-zoning, as well as the typology of permitted and prohibited activities for the area or for each sub-zone. This addition establishes the legal basis for further addressing the modification of these elements (see below the section on zoning and procedural changes).

- "Tourism of Excellence" – added as a new definition (point 25/1). This term refers to a type of tourism that provides accommodation in structures meeting the highest architectural and environmental standards, as well as exclusive high-level tourist services. The dedicated definition of 5-star tourism ("Tourism of Excellence") clearly indicates the new law's orientation toward enabling luxury tourism investments within protected areas, paving the way for this form of development as part of the permitted activities (see the section on permitted activities).

- Expansion of the term "sustainable development/use" – In point 36 of Article 3 of the base law, after the word "traditional," the words "economic and tourism, aligning the conservation objective, effectiveness, and suitability with the characteristics of the protected area or sub-zone" were added. This addition signals that the concept of sustainable development now explicitly includes economic and tourism activities (not just "traditional" ones), provided that the conservation objective and the suitability with the area's characteristics are respected. It allows for a more flexible interpretation of "sustainable" uses, including tourism alongside traditional activities, and sets the groundwork for facilitating practices that were not traditionally present in protected areas.

- "Undisturbed Natural Area" and "Slightly Disturbed Natural Area" – added as new terms (points 38 and 39 of Article 3). Their definitions describe, respectively, an area where the main elements of biodiversity/ecosystems are preserved in a completely natural state with minimal human intervention, and an area where biodiversity is maintained alongside some human activities designed in harmony with nature, so that the area continues to exhibit its characteristics while ensuring sustainable development. These two terms appear to formalize concepts that were already in use within the law (e.g., in defining the core sub-zone and the traditional use sub-zone, Law 81/2017 referred to areas as "undisturbed" or "slightly disturbed"). By establishing them as separate definitions, the new law emphasizes the distinction between strictly natural core zones and those with limited human intervention, closely linked to the changes in the zoning scheme.

Additionally, Article 4 of Law 81/2017 (which sets out the management principles of protected areas) has been supplemented with three new principles:

- **Principle of Suitability** – establishes that the category of a protected area must be changed if it turns out that the characteristics and objectives for which the area was designated no longer correspond to the existing category.

- **Principle of Categorization According to Objectives** – requires that the determination of a protected area's category be carried out in accordance with the primary objectives for each category under the law. This reinforces the link between IUCN categories (I–VI) and their specific goals, ensuring that area classification is not arbitrary but refers to the intended function (e.g., strict reserves vs. natural parks, etc.).

- **Principle of Management Flexibility** – allows protected areas to be managed under any suitable form of administration, in compliance with the provisions of the law. This implies that new forms of administration may be applied (e.g., involving the private sector or local communities in management, establishing specialized structures such as National Park Management Offices, etc.) without being limited to traditional forms, provided they remain within the legal framework.

Although the addition of these principles appears to be justified as an orientation toward adaptive management of protected areas, in practice they may serve as a justificatory basis for some of the more controversial changes discussed below – for example, the principles of "flexibility" and "suitability" could be used to rationalize the revision of boundaries/categories and the allowance of new forms of development within protected areas.

4.2.2 Internal Zoning and Sub–zones: Reduction of Spatial Restrictions

Internal zoning (the division of protected areas into sub-zones with different levels of protection) has undergone substantial changes, directly affecting the protection regime within the areas. Law 81/2017 provided a detailed zoning structure, particularly for Categories II, IV, and V, imposing core sub-zones (with strict protection) and other sub-zones (traditional and sustainable use, recreation, buffer, cultural) where progressively more activities were permitted. The 2024 amendments have revised and relaxed these spatial restrictions as follows:

- Removal of the article detailing sub-zone division for Categories II, IV, and V: Article 13 of Law 81/2017, which stipulated that national parks, managed nature reserves, and protected landscapes must be divided into sub-zones (while strict reserves and monuments had only a buffer zone), has been entirely repealed by the new law. This indicates an intention to remove a normative level of obligation regarding the internal division of the area. Instead, the new law reformulates the zoning issue in Article 47 of the base law, making it more flexible or limiting its application to certain categories only.

- Internal zoning is now limited to certain categories: Article 47 of Law 81/2017 was amended to clarify that the division of territory into sub-zones applies only to the categories “National Park” (II) and “Managed Nature Reserve/Natural Park” (IV). This means that Protected Landscapes (Category V) no longer necessarily have a core sub-zone or other legally defined sub-zones. Under the previous law, even Protected Landscapes were required to have internal sub-zoning, including, for example, a cultural heritage sub-zone. This obligation has now been removed, leaving it potentially to case-by-case planning (through the Council of Ministers’ decision on designation) or simply not providing for strict sub-zones at all for Category V. The legal effect is a reduction of restrictions: a Protected Landscape is now treated under a more flexible spatial regime, without a legally defined core sub-zone with absolute protection.

- Reduction of sub-zone types: According to the amendment in Article 47, point 2, internal zoning now includes only three types of sub-zones – (i) the core sub-zone, (ii) the sustainable use sub-zone, and (iii) the recreation sub-zone. This represents a contraction of the previous five-sub-zone scheme (which also included the buffer sub-zone and the cultural/heritage landscape sub-zone). The removal of the “buffer sub-zone” as part of the formal structure means that buffer areas around strict reserves or monuments are no longer treated as formal sub-zones of the protected area (in fact, the requirement for a buffer around Natural Monuments has been removed). Likewise, the removal of “traditional use” from the name of the second sub-zone reflects the elimination of the concept of “traditional” from the text. This change expands the scope for non-traditional activities within areas that were previously assumed to adhere to historically local uses.

- Core sub-zone – Article 48 of the base law, which governs the regime of the core sub-zone, has been entirely reformulated. The new law removed the division into Levels A and B within the core sub-zone and listed only a few basic prohibitions, eliminating many of the restrictions that previously existed. Specifically, the new Article 48 (under Law 21/2024) prohibits in the core sub-zone only: the use of chemicals/fertilizers; extraction of minerals and peat (except for stone/sand for maintenance); lighting fires; hunting; disposal of waste originating from outside; introduction of invasive species; intensive breeding (except in rescue cases); and the construction of heavy infrastructure (highways, railways, urban areas, hydropower plants, oil/gas systems).

Compared to the original text, it is evident that a number of activities previously strictly prohibited in the core of the protected area have been removed from the list of prohibitions. Law 81/2017 expressly prohibited, at “Level A” of the core sub-zone: the cutting of trees and shrubs, any type of construction, grazing and livestock enclosures within the area, the erection of recreational/leisure facilities, free movement of people (except landowners), the operation of motor vehicles (except those of the administration), navigation by boats, and so on.

All of these prohibitions no longer appear in the new Article 48; therefore, to the extent that the law does not expressly prohibit them now, they are implicitly considered permitted or at least potentially allowed through sub-legal regulation. Likewise, the

"Level B" prohibitions (e.g., intensive land use technologies, motor races, mass tourist activities outside designated points, etc.) have been partially consolidated or removed. Some of them are retained in a more general form (e.g., prohibitions on fundamental changes to ecosystems or on hydropower plants and major roads remain on the list), while others have been eliminated.

Legal and practical effect: The core sub-zone now has a significantly more relaxed protection regime. Activities that were previously unthinkable in a core sub-zone – such as selective logging, construction of visitor facilities, development of small-scale infrastructure, free movement of tourists or vehicles – are no longer prohibited by law. This represents a dramatic weakening of protection in the core sub-zones of national parks and reserves, raising concerns that habitats previously untouched may suffer degradation from activities that are now tolerated. Notably, although many of these potential activities may still require procedural approvals (e.g., environmental permits or NTC approvals), the fact that the law no longer categorically prohibits them lowers the protection threshold and opens the door to their planning.

- Sustainable Use Sub-zone (formerly Traditional Sustainable Use) – Article 49 of the base law (the second sub-zone category) has been amended to align with the new approach. First, the word "traditional" has been removed from the title and text, leaving only "sustainable use," conceptually detaching this sub-zone from the limitation to local traditional activities. Second, the first paragraph of Article 49 now states that the second level of protection applies in the sustainable use sub-zone and that, except when activities serve or support permitted activities, they are considered prohibited. This new formulation contrasts with the approach of the previous law, which explicitly listed what was prohibited in this sub-zone (e.g., alteration of water reserves, chemical disposal, parking outside roads, camping, etc.). The emphasis now is on permits: any activity related to permitted activities may be tolerated, while others are "prohibited" in principle. However, what constitutes "permitted activities" is determined elsewhere (the new Article 33 and the act designating the area). Thus, instead of listing specific prohibitions, the law refers back to the definition of permitted activities.

Permitted activities in this sub-zone: The new law explicitly adds that activities permitted in the sustainable use sub-zone – in addition to those provided for in Article 33 of the law – will be determined in the Council of Ministers' decision designating the protected area.

In this context, it means that the list of activities that may be carried out in this sub-zone will be established on a case-by-case basis in the sub-legal government act for the specific area, with the core reference being the activities listed in Article 33 (which include, among others, tourism of excellence and agrotourism). This increases flexibility – the government can give the green light for certain economic activities within the "sustainable use" sub-zone of a National Park or Managed Reserve, without being constrained by a static list of prohibitions in the law.

On the other hand, the law completely removes the definition of "traditional use" in the context of protected areas, raising questions as to why this term was omitted. It can be interpreted that the legislator intended to no longer condition developments on the

"traditional" criterion – meaning that non-traditional practices (e.g., modern business models, technology, or exploitation methods) can now be considered appropriate within this sub-zone, provided they are classified as "sustainable".

- Recreation Sub-zone – Article 50 of the base law was amended to align this sub-zone with the new approach. The first paragraph now treats the recreation sub-zone together with the sustainable use sub-zone, stating that the third level of protection applies to both, and likewise, any activity not serving or supporting permitted activities is considered prohibited. This represents a significant change: under the previous law, the recreation sub-zone had the third level of protection, while the traditional use sub-zone had the second level. Now, both are effectively treated as zones with the lowest level (III) of protection, based on the logic that permitted tourism and economic developments will drive these sub-zones toward higher intensity use. This can be seen as a reduction in the protection level for the former traditional use sub-zone (from II to III), allowing recreational/tourism activities within it that were previously permitted only in the recreation sub-zone.

Furthermore, point 2 of Article 50 now provides that permitted activities in the recreation sub-zone, in addition to those listed in Article 33, will be specified in the Council of Ministers' decision designating the area. Under the previous law, this point 2 stated that only recreational activities of a tourist and leisure nature were allowed, which did not alter the surface and required prior approvals from the relevant institutions. The emphasis was thus on not changing the substrate of the area (e.g., temporary structures, no other economic land uses) and on obtaining required permits.

With the amendment, the condition of non-alteration is no longer mentioned in the law, nor is the need for institutional approvals (the latter may now be assumed under other procedures, such as the development permit from the NTC). What can specifically be done in the recreation sub-zone – e.g., "urban, recreational, or economic interventions within the area" – is now left to the Council of Ministers' designation decision and the NTC regulations. This aligns with the broader direction of liberalizing activities in protected areas: shifting standards from a priori prohibitions in the law to case-by-case authorizations by the executive authorities.

- Buffer Zone and Natural Monuments: Significant changes have also occurred for Natural Monuments (Category III). Article 17 of the base law, which referred to Natural Monuments, was amended by repealing: (1) the first sentence of point 2, and (2) the entirety of point 3. In the original text, these provisions specified that Natural Monuments enjoyed the status of a "strict nature reserve" and that a 200-meter buffer zone was established around them, within which strict restrictions applied to protect the monument. With the removal of these provisions, the 718 existing Natural Monuments in Albania (according to official data) lose the additional legal protection of a surrounding buffer zone. Practically, various developments or activities can now take place up to the boundary of the monument itself without a mandatory buffer zone. This is a significant change, as it exposes Natural Monuments (often delicate features such as caves, waterfalls, unique geological formations, centuries-old trees, etc.) to immediate environmental impacts from adjacent land uses (e.g., construction, logging, or intensive human activities that would previously have been prohibited within the buffer).

Moreover, the removal of the "strict reserve" status for the monument itself means that the monument is no longer subject to the restrictions applied to strict reserves (Category I), but only to the general rules of Category III, which will be further specified under sub-legal acts. In the absence of a core or buffer sub-zone, the Natural Monument now de facto has reduced protection, limited solely to the monument itself.

In summary, the changes to the provisions related to zoning dismantle the strict hierarchical protection framework established by Law 81/2017. By removing additional sub-zones and "softening" the core regime, the new law creates conditions for areas that were previously untouched to become accessible for certain interventions. This aligns with the changes in the list of permitted activities, which are analyzed below, and complements them: as activities are now allowed (e.g., construction of tourist facilities), the physical space within the protected area where these activities can occur also needed to be made available. This has been achieved by lowering the "barriers" of zoning.

4.2.3 Permitted Activities and Tourist Infrastructure (Amendments to Article 33)

Article 33 of Law 81/2017 was among the provisions most affected and simultaneously most impactful in practice by the 2024 amendments. Originally, Article 33 defined activities permitted within protected areas only after obtaining prior approval from the authorities (e.g., NAPA or the Ministry). The article listed a series of activities that could be carried out within protected areas, conditional on obtaining permits or approvals (e.g., vehicle movement off designated roads, camping in certain areas, military or defense structures, installation of signage, lighting fires in nature, etc., depending on the category). Law No. 21/2024 entirely replaced Article 33, completely restructuring the logic of permitted activities from the ground up. The main changes are:

- **Shift from "prior approval" to "ex-lege permit":** The new wording of Article 33 moves from the concept of "activities permitted only after obtaining prior approval" to the concept of "permitted activities" de jure within protected areas. This means that the law itself now authorizes a list of activities within protected areas (while still anticipating that implementing acts and technical permits may be required, they are in principle declared "permissible"). This represents an a priori easing previously, the general principle was "prohibited unless approved"; now it becomes "permitted, subject to certain conditions." This changes the legal burden and favors project initiators.

- **New list of permitted activities:** The new Article 33 enumerates six categories of activities that are allowed to be carried out within protected areas:

1. Activities specified in the Council of Ministers' (CM) decision designating the area and implemented according to criteria approved by the special regulations of the National Territorial Council (NTC). This provision gives significant weight to the foundational act of designating each area; anything the government has determined as permitted there (e.g., according to the category or local needs) is considered de jure allowed, provided that the technical criteria of the NTC are respected. In practice, this grants the NTC regulatory authority to detail the technical conditions for developments for activities specified in government acts for the areas. This ensures a form of urban-planning oversight, but also limits existing designation CMs, which must be harmonized with the new regulations within six months.

2 Activities carried out in “Excellence” accommodation structures, 5-star or higher, in the tourism sector, as well as any supporting or auxiliary activities/ infrastructure related to them, regardless of whether this is specified in the Council of Ministers’ (CM) decision designating the protected area. This is perhaps the most controversial change: the law now explicitly allows the construction and operation of luxury tourist resorts (5★ and above) within protected areas, together with all related supporting infrastructure, even if the designation act for that area did not foresee it. In other words, the law itself overrides prior limitations, making this type of development possible anywhere within the protected area network, without waiting for a specific CM amendment for the zone. This represents a reversal of the old paradigm, where introducing such developments in a protected area required prior changes to the area’s status or management plan. Now, an investor targeting a “Tourism of Excellence” facility within, for example, a National Park, has direct legal backing and is not blocked by the fact that the existing act may not allow it—the law overcomes that restriction by stating “regardless of whether it is foreseen in the designation act.” This makes approval of such investments much easier, provided other steps are followed (e.g., the relevant environmental and urban permits, now centralized through the NTC).

3 Activities carried out within agrotourism accommodation facilities, together with any activity or supporting infrastructure serving their operation, regardless of whether they are provided for in the designation act. This provision is similar to point 2 but applies to agrotourism—a sector generally associated with smaller-scale, agriculture-based and traditional structures. In this case as well, the law a priori enables agrotourism investments within protected areas, without the need for such activities to be explicitly stipulated in the planning or designation documents of the respective area.

4 Activities related to the monitoring of environmental conditions, including ecosystems, habitats, and species. This category encompasses scientific research, monitoring programs, and inventories, i.e. activities of a research and conservation-oriented nature. Such activities have, in fact, always been permitted (and encouraged) within protected areas, but the law now refers to them explicitly, possibly to emphasize that environmental monitoring is authorized throughout protected areas, even when it may involve limited interventions, such as the installation of sensors, scientific field visits, or similar actions.).

5 Activities involving necessary or urgent interventions aimed at the enhancement of biodiversity, as well as the regeneration or restoration of ecosystem health. This category is related to active conservation measures, such as the cleaning of degraded forests, reforestation, rehabilitation of damaged habitats, and the eradication of invasive species, among others. These activities were logically permitted even previously (and were provided for in management plans), but they are now explicitly included in the law as permitted activities, thereby covering any type of intervention undertaken for this purpose”.

6 Military activities, which may be carried out upon obtaining an environmental permit. Previously, the conduct of military activities (e.g. training exercises, maneuvers) within protected areas was generally excluded or addressed only under force majeure circumstances. The law now clearly states that such activities are permitted, if they are subject to environmental permitting (e.g. an environmental impact assessment and authorization from the competent environmental authorities). This provision aligns protected areas legislation with the practical reality that armed forces may require operations within protected territories, while at the same time establishing an environmental oversight and control mechanism over such activities.

From this list, the first two points are undoubtedly the most critical: the legalization of 5★ accommodation structures and agrotourism facilities within protected areas, regardless of existing plans. These changes have been considered regressive by environmental experts, as they fundamentally alter the philosophy of the law—shifting it from nature conservation as a priority toward economic development within natural areas. As a result, tourism investments (luxury resorts, agrotourism tourist villages, etc.) now have a direct legal basis for being established within national parks, nature reserves, or protected landscapes, whereas previously this would have required complex procedures to amend the status or boundaries of the protected area.

- Conditioning by NTC regulations: Articles 33(1) and 33(2),(3) are linked to the National Territorial Council (NTC). Point 1 requires that the activities provided for in the Council of Ministers' decision declaring the protected area be implemented in accordance with the criteria approved through a specific regulation issued by the NTC. This implies that the NTC (the central body for territorial planning) must adopt a regulation defining the standards and technical criteria for infrastructure and permitted activities within protected areas (Pas). In fact, another provision of the new law (the amendment to Article 47, paragraph 4) formally establishes this role: the NTC, through a specific regulation, determines the rules and technical criteria for both primary and supporting infrastructure for specific projects related to the implementation of permitted activities in areas with Protection Levels I, II, and III. This means that, for example, for a 5-star resort within a National Park, the NTC must have defined what types of construction are allowed and under which parameters (such as height, volume, materials used, environmental standards, etc.). This regulation is expected to standardize the approach and set technical limits, but at the same time it represents a centralization of decision-making power. From the former requirement of prior approval by the National Agency of Protected Areas or the Ministry of Environment, the system now shifts to the NTC regulation as the primary filtering mechanism. Furthermore, the law adds that, in cases of activities under points 2, 3, and 4 of Article 33 (namely high-end tourism, agrotourism, and environmental monitoring), the approval by the NTC of the rules and technical development criteria is itself considered an "act of amendment." This wording implies that the NTC's act of granting final approval to the technical rules of such projects carries the same legal weight as an official amendment of the technical and formal elements of the protected area. In this way, the legislator has sought to ensure that any such major intervention is recorded as a change in the area's status, rather than being treated merely as an isolated action.

- Reflection of Article 33 in other provisions: The new provisions of Article 33 do not stand in isolation but are reinforced by parallel amendments to the articles regulating categories and sub-zones. For example:

- In National Parks (Category II), Article 16 was amended to exclude high-standard hospitality infrastructure and activities for excellent tourism from the park's strict protection regime. The revised text states that, in National Parks, with the exception of excellence accommodation structures (5) and their supporting infrastructure pursuant to Article 33, the level of environmental protection aimed at maintaining the natural state shall apply.
  This effectively means that the park remains strictly protected except for areas or cases where luxury tourism structures are developed. This represents a clear contradiction with the spirit of conservation, yet, from a legal standpoint, it establishes that resorts approved under Article 33 may be located within the park without formally "undermining" its category. It constitutes a codified exception that effectively makes room for such developments within the protected area.

- Similarly, in National Parks, within the same provision (Article 16, paragraph 3), it was added that the permitted activities of the park are those defined in the Council of Ministers' decision declaring the area, as well as those provided for in Article 33, and that these opportunities (spiritual, scientific, educational, and recreational for visitors) may be carried out upon obtaining the approvals of the relevant state institutions. This amendment integrates the reference to Article 33 into the Category II protection regime, ensuring that everything permitted by law under Article 33 also applies within the National Park, regardless of whether it is explicitly mentioned in the park's management plan. Furthermore, a new subparagraph "ç" was introduced, stating that the objectives of these activities include contributing to the local economy through tourism and agrotourism activities. Consequently, the development of the local economy through tourism is now included among the official objectives of the National Park, an element that had not been incorporated previously.

- In Protected Landscapes (Category V), Article 20 was fundamentally amended. Already in paragraph 1, it is added that this category creates opportunities for contemporary development, such as tourism/agrotourism activities or other sustainable economic activities that are biodiversity friendly. This represents a clear departure from the classical concept of the protected landscape as an area of nature–human harmony, toward the idea that a protected landscape may function as a space for development (provided it is deemed "nature-friendly"). Furthermore, paragraph 3 of Article 20 adds that the management of the protected landscape shall be carried out in accordance with a specific regulation issued by NTC, thereby introducing the NTC as a planning arbiter in this category as well. In addition, a new subparagraph "e" is introduced, authorizing "urban, recreational, or economic interventions within the area, while preserving the character of the zone as provided for by law and the designation decision". This effectively goes beyond the traditional protection paradigm, opening the way for the construction of urban or commercial

structures within protected landscapes—a term that historically referred to traditional rural areas with natural and cultural values. The very notion of "protected" is now called into question, as it is clarified that construction within a Protected Landscape is permissible (including resorts, recreational facilities, and other businesses), provided that such developments are considered "appropriate" and do not eliminate the character of the area.

- In the provisions concerning aquatic protected areas (marine, lacustrine, and riverine – Articles 22 and 23 of the framework law), amendments have been introduced that remove previous restrictions on construction. More specifically, the earlier wording that prohibited permanent constructions within marine, lake, and river protected areas, allowing only light, temporary tourist structures, has been deleted. This change was affected by adding to Article 22 (marine areas) that the prohibitions set out therein do not apply to tourism infrastructure and its supporting infrastructure, as provided for in the designation decision of the Council of Ministers or under Article 33. As a result, although in principle activities that altered habitats or constructions such as aquaculture facilities were previously prohibited in marine protected areas, this exception now makes it possible for a tourist marina, a coastal resort, or other similar structures to be justified.Likewise, in Articles 22 and 23, the restriction to seasonal structures has been removed: whereas previously only temporary tourist structures were permitted in protected coastal areas, such a prohibition no longer appears in the revised text. This means that permanent construction (hotels, tourist villas, etc.) may now be authorized even in areas where only movable or temporary structures were previously allowed.

In summary, the new Article 33 and the subsequent amendments to the articles on categories and sub-zones have created a framework in which:

- New economic activities (luxury tourism and agrotourism) are legally permitted within protected areas — nature conservation is no longer absolute.

- This permissibility is accompanied by planning oversight by the NTC, as well as by the requirement that the government integrate these changes into individual legal acts (the Council of Ministers' decisions designating protected areas). Within six months of the law's entry into force, the government and the NTC are obliged to ensure that all designation decisions for existing protected areas reflect these new provisions, including the relevant technical and formal elements).

- Tourism developments within protected areas now benefit from a simpler procedural pathway and greater legal certainty: Article 33 grants them the status of "permitted" activities, thereby reducing the possibility of challenging them solely on grounds of incompatibility with the law (challenges may now be brought only because of technical conditions, specific environmental impacts, etc.). As noted above, this shift has raised concerns among environmental experts regarding the future integrity of protected areas, as the underlying philosophy has moved toward reconciling nature with investment rather than keeping investment outside nature.

4.2.4 Institutional competences: the expanded role of NTC and new institutional structures

The legal amendments have also affected the institutional architecture of protected area management, assigning a central role to the National Territorial Council (NTC) and establishing new management structures. These changes are clearly linked to the need to practically implement the newly permitted developments (particularly tourism-related activities) within protected areas, by centralizing key decision-making processes.

- The decisive role of the NTC in planning and permitting within protected areas: As discussed above, the NTC, which is a national territorial planning body chaired by the Prime Minister— is now directly involved in nearly every stage of the territorial management of protected areas:

  - Approval of internal zoning: Law No. 81/2017 required the approval of the NTC for any internal zoning plan prior to the designation of a new protected area. The new law strengthens this requirement by explicitly mandating that every sub-zoning plan be submitted to and approved by the NTC, and by turning it into a formal element that may be amended through a Council of Ministers' decision following NTC approval (new Article 36/1). This will also affect boundary revisions and changes to sub-zones: approval by the National Agency of Protected Areas or the Ministry is no longer sufficient— NTC approval is now required prior to any official amendment of the area's map.

  - Determination of technical rules for infrastructure: As noted above, the NTC has been granted the competence to issue specific regulations detailing the technical criteria for infrastructure permitted within protected areas. This effectively makes NTC a regulator of construction standards within parks and reserves, a role it did not previously hold (as guidance was formerly provided through management plans and designation decisions). With this change, the government will, in practice, refer to the NTC questions such as: what types of buildings are acceptable near a natural monument? How many stories may a hotel have within a park? Decisions of the NTC have immediate executive force and are expected to function as an urban planning "filter".

  - Approval of development permits within protected areas: The new law, in several provisions (e.g. the amended Articles 16, 19, 20, and 22), emphasizes that the NTC when reviewing specific applications for development or construction permits within protected areas, approves the technical rules and criteria for infrastructure. This textual formulation is the legal mechanism through which the NTC is granted the authority to approve or reject concrete projects. In practice, any significant construction project within protected areas—particularly tourism-related or infrastructure projects—will be submitted to the NTC for decision. If the NTC deems a project acceptable in principle, it will also approve the technical criteria that the project must comply with. This represents an escalation of the NTC's competence: from the approval of territorial plans to the approval of individual development cases. This change makes the NTC the key decision-making actor for permits within protected

areas, especially in the case of strategic projects or major investments. It centralizes authority (partially sidelining the role of the National Agency of Protected Areas or local environmental administrations) and, at the same time, politicizes decision-making, given that the NTC is composed primarily of ministers and is chaired by the Prime Minister).

Legal consequence: the inclusion in the law of provisions stating that certain activities may be carried out only after the subject has obtained approval from the NTC (as suggested by the formulations above) grants the NTC an exclusive legal mandate to give the green light to investments that were previously handled by environmental technical committees or by the National Agency of Protected Areas (NAPA) itself. This makes it possible, for example, for a company to obtain direct approval from the NTC for its resort project within a national park, under the conditions set by that body, and then merely formally complete the remaining sectoral permits (environmental permits, local construction permits, etc.), which in practice become a formality once the highest forum has decided. This development has been viewed with concern by environmental groups, as it removes decision-making from the sphere of environmental expertise (NAPA / Ministry of Environment) and places it instead within a political forum such as the NTC.

- Procedura e ndryshimit të elementeve formale: Ligji i ri ka shtuar një nen të posaçëm 36/1 në ligjin bazë, i cili përcakton procedurën e ndryshimit të atyre "elementeve tekniko-formale" që u përkufizuan në fillim. Sipas këtij nenit:

  - *Any amendment of the technical and formal elements of the decision designating a protected area (i.e. the name, managing institution, zoning/sub-zoning, or the typology of permitted/prohibited activities) shall be carried out by a Council of Ministers' decision, upon a proposal by the minister responsible for protected areas, which must justify the need for the specific amendment, and following a decision by the NTC in cases involving changes to zoning or sub-zoning.* This means that every official change, for example, altering the boundary of a sub-zone, introducing a new sub-zone, or modifying the list of permitted activities within an area—requires the adoption of a new Council of Ministers' decision. However, where the change concerns zoning or sub-zoning, prior approval by the NTC is required. This multi-step procedure ensures that no spatial change (such as the opening of a recreational area within a core zone, or the expansion of a sustainable development zone) can occur without a decision by the NTC, after which it is formally enacted through a Council of Ministers' decision. In cases where the NTC approves a specific development (e.g. a resort in an area not previously designated for such use), that NTC approval itself is considered an "act of amendment", as noted above).

  - Likewise, Article 36 of the framework law (concerning changes to the surface area of a protected area) was amended to broaden the range of entities entitled to propose such changes. In addition to the National Agency of Protected Areas, ministries, and local government units, the right to propose a change in surface area (expansion or reduction of a protected area) is now also granted to collegial state institutions that approve projects within the territory of Albania, research and scientific institutions, civil society organizations, private

landowners with property within the protected area, as well as entities carrying out activities within the area (holding an environmental permit). This opens the possibility that, for example, a concessionaire company or a strategic investor operating within a protected area may itself propose the reduction or expansion of the area's boundaries, depending on its interests (subject, of course, to justification and prior consultation with the local community, as provided for in the law). In theory, this may appear as a form of democratization (broadening stakeholder participation in proposals), but in practice it increases the potential for pressure to reduce protected areas driven by specific interests.

4.2.5 Establishment of the National Parks Administration Offices (ZAPK)

A key institutional change is the addition of Article 39/1 to the framework law, which establishes the new structure known as the "National Park Administration Office." According to this article, the ZAPKs will be technical–administrative institutions under the authority of the ministry responsible for protected areas, organized at both central and regional levels, and exercising their activities within the territory of the protected area designated as a "National Park". In other words, for each National Park (Category II), the government establishes a dedicated administrative office that will deal exclusively with that park. Several key points regarding the ZAPKs, as set out in the newly added provision, include:

- They are vested with management competence within the territory of the National Park and, in coordination with the National Agency of Protected Areas (NAPA), approve proposals for the park's management plans.
- Management plans, as well as restoration, conservation, or research projects for the park, are approved by the minister, following review and coordination with the NAPA.
- ZAPKs carry out maintenance activities and may also undertake restoration and conservation works in support of protective measures within the park.
- ZAPKs cooperate with other institutions as necessary (e.g. forestry, water management, tourism agencies, etc.) and oversee the environmental effects of any intervention or proposed development within their territory. This latter function positions ZAPKs as a kind of local "guardian", responsible for monitoring projects (such as resorts, roads, etc.) within the park and informing central and/or local authorities about ongoing developments.
- The establishment, structure, and staffing framework of each ZAPK are approved by a Council of Ministers' decision, upon proposal of the minister, while the organizational structure (organika) is approved by order of the Prime Minister. The regional Protected Areas Administrations (RAPAs) that previously covered the territory of the respective National Park are relieved of their duties related to the protection and development of that park once a ZAPK is established. In practice, the ZAPK replaces the RAPA for that National Park.

Impact analysis: The establishment of the ZAPKs may be viewed as an attempt to specialize in management, as national parks require particular attention, thereby ending the practice whereby a single regional Protected Areas Administration managed multiple areas simultaneously. Under the new system, each park may have its own dedicated staff and organizational structure. This may represent a positive development (specialization and park-level decentralization), but its effectiveness will ultimately depend on implementation: if these offices are provided with adequate resources and qualified staff, they may enhance management effectiveness; otherwise, they risk merely adding an additional bureaucratic layer.

4.2.6 The role of local government

The adopted amendments have also introduced several developments affecting local government:

- As noted above, private landowners and local self-government units may now propose changes to the boundaries of protected areas. In theory, this enhances their voice in the decision-making process.

- The concepts of the "Municipal Natural Park" as a subcategory (Category IV) and the "Green Belt" (Category V) have been formally incorporated into the law. Although these concepts were also mentioned in 2017, the new law places greater emphasis on them, underscoring the aim of enabling municipalities to designate green areas within their own jurisdiction. In the revised text, several competences are linked to this approach: for example, references to the "forestry authority" are replaced by the NAPA or the regional RaPAs, and the mayor is assigned a key role in the administration of Municipal Natural Parks. One specific change is that, throughout Articles 66, 67, and 69 of the framework law, the terms "Forest Police Inspectorate / Forest Police Inspectors" are replaced with "the NAPA and the inspection bodies of the regional RaPAs," reflecting the institutional shift whereby forestry functions are no longer under the police but under the Protected Areas Agency). For municipalities, however, the most significant change concerns the Municipal Natural Park: the mayor now holds substantial authority in the management of these parks, a development that has been explicitly highlighted by the drafters of the law as a positive step toward decentralization.

- Another new provision (Article 40, newly added paragraphs 2/1 and 2/2) requires that the temporary use of pasture lands within protected areas be granted through a tripartite contract between the regional RaPA or the ZAPK, the municipality, and the interested entity. Under this contract, the municipality determines the location and surface area of the pasture and becomes the beneficiary of the related revenues. This grants municipalities an economic role in the management of resources within protected areas (in this case, pasture lands), which were previously administered solely by the RaPAs under symbolic fees. Under the new arrangement, municipalities will receive revenues from such uses. This change aims to increase municipal interest in protected areas (by providing a financial incentive) and to formalize pasture use through shared responsibility.

In conclusion, the institutional changes have created a new dynamic:

- Central government (the Council of Ministers and the NTC) now has the tools to steer development within protected areas in a top-down manner, either by amending formal elements through Council of Ministers' decisions or by issuing criteria and approvals through the NTC.

- The NAPA remains the central technical institution, but some of its competences (e.g. those related to management plans) are now shared with the Council of Ministers and NTC.

- Regional administrations (RaPAs) will have a reduced role in National Parks where ZAPKs are established (as they are relieved of their duties there), but will continue to operate in other protected areas.

- Municipalities assume a somewhat more active role within protected areas located in their territory (particularly through municipal natural parks and the co-management of pasture lands), but at the same time they lose some influence over strategic decisions (as the central NTC now decides, for example, on the approval of a resort within the municipality's territory).

- Private landowners and civil society are mentioned as actors entitled to initiate changes (theoretically a positive step for public participation), but their actual influence will depend on the political willingness to consider such proposals in relation to those advanced by investors.

V. OTHER INTERACTING LEGISLATION

Law No. 81/2017 "On Protected Areas" operates within a broader environmental legal framework, in which several framework and sectoral laws directly or indirectly influence the conservation and management of protected areas. Below is an analysis of these key legislative acts, their respective roles, their alignment with EU standards, as well as the gaps or inconsistencies that affect the effective implementation of legal protection for protected areas:

5.1 Law "On Environmental Protection"[4]

This law serves as the "cornerstone" of the entire environmental legal framework in Albania. It enshrines the fundamental principles of European environmental policy, such as sustainable development, the precautionary approach, and the "polluter pays" principle. These principles are universally applicable and are intended to guide all decision-making affecting protected areas, providing the philosophical and legal foundation for their protection. The law establishes mechanisms for environmental management, public participation, and institutional accountability, and is partially aligned with Directive 2003/35/EC on public participation and the Environmental Liability Directive (ELD) 2004/35/EC.

However, the most fundamental weakness of this law lies in the failure to adopt key secondary (bylaw) instruments, a gap that has rendered essential provisions—such as those on financial guarantees and criteria for damage assessment—unenforceable. This deficiency has effectively blocked the implementation of the law, leaving critical mechanisms, such as the Environmental Fund and the rules for assessing environmental damage, unestablished. As a result, the enforcement of liability for environmental damage relies on the general and insufficient provisions of the Civil Code. Moreover, the law is not fully aligned with the Environmental Liability Directive (ELD), particularly with regard to restorative measures and the methodological criteria for the quantitative determination of environmental damage and related liability.[5] The practical outcome of this situation is a de facto failure of the environmental liability regime: to date, only one case of environmental damage has been addressed, in the Fier district, where an agricultural landowner received approximately EUR 30,000 in compensation for soil contamination caused by the activities of Albpetrol.

The failure to adopt the necessary secondary legislation effectively reduces the "polluter pays" principle to an empty slogan, stripping it of any practical legal effect.

4. Law No. 10431/2011
5. "Are Balkan Countries Safeguarding Their Rivers? A Legal Analysis of Environmental Standards in Six Western Balkan Countries", produced by Client Earth, EuroNatur and Riverwatch - https://www.clientearth.org/latest/documents/are-balkan-countries-safeguarding-their-rivers-a-legal-analysis-of-environmental-standards-in-six-western-balkan-countries/

The need to apply the "Polluter Pays" principle in Albania is a priority for the control of environmental damage. The inability to enforce this principle stems from several shortcomings, outlined below:

- Municipalities are unable to fulfil their environmental monitoring obligations due to a lack of resources, competences, and technical equipment;
- Lack of transparency in the activities of pollution-generating businesses, particularly with regard to contractual arrangements and the monitoring of environmental parameters;
- The existing gap between policy implementation at the central and local levels, for example due to unclear roles and responsibilities assigned to local government;
- Lack of transparency regarding how compensation funds are used at the municipal level (e.g. their rare use for rehabilitation, or for mitigating pollution and environmental damage at the source). Environmental rehabilitation occurs rarely, if at all, at the local level.
- Businesses pay their obligations to the central government, the funds are absorbed into the central budget, and nothing is allocated at the local level to carry out genuine environmental rehabilitation for the damage caused.
- Insufficient resources and competences of central institutions to effectively monitor polluting businesses.
- The actual costs of environmental rehabilitation are higher than those stipulated in business contracts.
- Lack of transparency and access to information regarding monitoring data at sites where polluting industries operate. Monitoring is carried out solely by the businesses/polluters themselves (self-monitoring), which makes it extremely difficult to establish factual evidence of existing pollution on the ground and, consequently, hampers access to justice that could lead to the prevention or mitigation of pollution, as well as enable judicial review or fair resolution of environmental disputes;
- The general public and environmental NGOs have limited opportunities to monitor and oversee the processes of permitting and environmental assessment, which are often merely formal in nature or, in some cases, not carried out at all.
- The predominance of short-term economic gain over a sound vision of sustainable development. For example, the widespread construction of hydropower plants (HEPPs) across the country has largely functioned as a temporary source of employment or road construction in rural areas, rather than generating long-term, sustainable economic benefits.
- A pronounced lack of experience, awareness, and adequate education regarding environmental protection, including attitudes toward both visible and often invisible

(silent) environmental damage, and its consequences for nature, biodiversity, and human health, has frequently led to disregard for environmental concerns—not only in rural areas, but also within the deficient vision of policymaking and decision-making at all levels.

- Above all, the implementation of this principle requires clear rules defining how ecological damage is assessed and how the polluter is compelled to pay for restoration. In the absence of such rules, there is no standardized procedure to hold a polluter financially accountable, leaving the principle unenforceable and ineffective in practice.

This paralysis of the framework law and related legislation creates a protection vacuum that renders protected areas extremely vulnerable. If an industrial activity or tourism development causes irreversible damage within a national park—such as chemical pollution of a water body—there is no effective legal mechanism to compel the perpetrator to finance full ecological restoration. The financial burden therefore either falls on the state, undermining the "polluter pays" principle, or—more often—the damage remains permanent. This fundamental weakness in the highest-level environmental legislation undermines the entire protection pyramid, including the Law on Protected Areas, rendering it structurally unstable.

5.2 Law "On Environmental Impact Assessment"[6]

This law largely transposes the EU Environmental Impact Assessment Directive (2011/92/EU, as amended), requiring that projects likely to have significant environmental impacts be subjected to a rigorous assessment. The process comprises clearly defined stages: Screening (for Annex II projects), Scoping, and the preparation of the EIA Report, which must include a detailed analysis of impacts, mitigation measures, and alternatives. The procedure mandates public consultation and involves authorities such as the National Environment Agency (NEA) for the technical phases and the Ministry of Tourism and Environment (MTE) for the issuance of the final decision, the Environmental Declaration (ED).

A key and more stringent mechanism within the EIA law, which is particularly important for Protected Areas, is the "Appropriate Assessment" procedure. This concept, borrowed from the EU Habitats Directive, is defined in the legislation as the process that assesses the significance of a project's impacts—individually or in combination with other projects—on designated conservation areas.

This specific assessment is required for any plan or project which, although not directly connected with or necessary to the management of a protected area, is likely to have significant adverse effects on it. In such cases, the preliminary EIA report must mandatorily include this dedicated assessment.

6. Law No. 10440/2011, as amended

The key principle is that the competent authorities may approve a project only after determining that it will not adversely affect the integrity of the area concerned. Where a project must nevertheless be carried out for imperative reasons of overriding public interest, and in the absence of alternatives, the law requires that all compensatory measures be taken to ensure that the overall coherence of the protected areas network (such as the future Natura 2000 network) remains intact, despite a negative assessment. This mechanism constitutes an additional protective filter, but its effectiveness depends on rigorous implementation and the scientific objectivity of the assessment.

The weakest and most problematic provision of the law is Article 20, which stipulates that the Environmental Declaration (ED) is not binding on the authorities granting development consent. This means that a project may be approved even where the ED is negative, provided that a "sufficient justification" is given—a provision that is not consistent with Article 8a of the EIA Directive. Furthermore, the law deviates from EU legislation by allowing certain modifications or extensions of Annex I projects to avoid a full EIA through a screening procedure, thereby creating a potentially dangerous loophole. Although public participation is formally mandated, in practice it is uneven and often constrained by procedural barriers and a lack of awareness, particularly within local communities.

Furthermore, there are gaps in alignment with the criteria of Annex III of the Directive, particularly regarding the assessment of risks related to climate change and impacts on human health.

The non-binding nature of the Environmental Declaration (ED) transforms the entire EIA process from a scientific decision-making tool into a procedural exercise devoid of binding force. This creates an internal contradiction: the state invests resources in a sophisticated environmental assessment process, only to grant another authority—typically one with a development-oriented mandate—the legal power to disregard its outcome entirely. The preventive purpose of the EIA is thus fundamentally undermined, reducing the process to a formality to be completed, rather than a filter that must be passed. This legal loophole can be used to introduce high-impact projects within protected areas. An investor may propose, for instance, a resort or a hydropower plant within a national park. The Ministry of Tourism and Environment (MTE), based on an EIA indicating irreversible damage, may issue a negative ED. Nevertheless, another body—such as the National Territorial Council (NTC)—may still approve the project, invoking broad justifications such as "national interest." This renders the protected status of an area vulnerable to the prevailing political will, effectively circumventing the legal safeguards provided by the Law on Protected Areas. Judicial remedies, as demonstrated by court challenges against hydropower plants, remain an option, but they are reactive rather than preventive. Another challenge is that small-scale projects (below EIA thresholds) may escape assessment, even though their cumulative effects can significantly impact protected areas—a gap that requires urgent attention (e.g. through secondary legislation on cumulative impact assessment). Finally, rigorous implementation is crucial: in the past, several high-impact projects (such as hydropower plants) were approved on the basis of questionable EIAs, underscoring the need to strengthen oversight and improve the quality of EIAs, particularly for projects located within or near protected areas.

5.3 Law "On Strategic Environmental Assessment"[7]

This law transposes EU Directive 2001/42/EC and requires that plans, programmes, and strategies undergo a strategic environmental assessment of their environmental impacts prior to adoption. It is a key instrument for ensuring that spatial and sectoral development plans (energy, transport, agriculture, etc.) take into account nature conservation objectives and protected areas. For example, a General Local Plan or a sectoral plan must identify protected areas as zones with development constraints and carefully assess development alternatives during the SEA process. Such plans set the framework for the approval of future projects under the EIA law.

Law No. 91/2013 is relatively recent and is largely aligned with EU standards in this field; it complements the EIA law by operating at the strategic level. In practice, however, implementation has been inadequate—some plans have been adopted without a proper SEA or with poor-quality assessments, creating a gap in the preventive protection of protected areas. Several national strategic plans, such as the Water Resources Management Strategy, the National Gas Infrastructure Master Plan, and the National Energy and Climate Plan, have been adopted without the completion of the SEA process.

The bypassing of SEA at the level of national plans creates a negative domino effect that makes the protection of protected areas at the project level far more difficult. By failing to assess the environmental impacts of a national strategy—such as a plan for the construction of a highway network—the government effectively "predefines" development corridors that may pass through or adjacent to protected areas. When, years later, the construction of a specific segment is proposed, the argument that less harmful alternatives exist becomes largely irrelevant, because the National Plan has already prejudged the outcome and severely constrained the range of feasible alternatives. This pattern of implementation reveals a systemic preference for sectoral development over integrated environmental protection. The failure to apply SEA turns the protection of protected areas into a continuous, fragmented battle against individual projects, rather than a proactive, strategic approach. It allows the creation of a "pipeline" of future threats to protected areas, legitimized by strategic plans that have never undergone proper environmental scrutiny.

Therefore, it will be crucial to strengthen the full integration of SEA into decision-making processes in order to ensure that strategic developments (e.g. infrastructure corridors, energy plans) do not undermine the integrity of the protected areas network.

7. Law No. 91/2013, as amended

5.4 Law "On Environmental Permits"[8]

This law establishes the environmental permitting system for activities with environmental impacts, applying an integrated permitting approach (similar to the IPPC Directive 2008/1/EC and the Industrial Emissions Directive 2010/75/EU). It provides for two categories of permits (A and B), depending on the scale and intensity of the activity..

Interaction with Protected Areas: Activities carried out within or in the vicinity of protected areas (e.g. an industrial facility, landfill, or tourism activity with environmental impact) are required to obtain an environmental permit with specific protective conditions. The law provides environmental authorities with the tools to impose operational restrictions (such as emission/discharge limits and monitoring plans) on operators located near areas of high environmental value. Thus, even after a project has passed the EIA process and is implemented, the operational phase is regulated through the permit, constituting an additional layer of protection for protected areas. Environmental permitting legislation is partially aligned with EU standards (e.g. it requires the application of Best Available Techniques – BAT, in line with EU requirements). One aspect requiring improvement is inter-institutional coordination: it should be ensured that the authority issuing the environmental permit takes into account the "protected" status of the area and consults the protected areas administration when defining specific conditions. At present, such coordination is not strongly formalized in the law—a procedural gap that has, at times, allowed permits to be issued with insufficiently stringent conditions for activities near protected areas. Legal improvements could aim at the full integration of the requirements of Directive 2010/75/EU (e.g. regarding the treatment of priority pollutants and regular inspections) and at establishing a clear obligation for protected areas to be treated as "sensitive areas", where stricter criteria apply.

5.5 Environmental Criminal Legislation (Criminal Code)

The Criminal Code of Albania (Law No. 7895/1995, as amended) devotes a specific chapter (Chapter IV) to criminal offences against the environment, listing a range of punishable acts in the environmental field. Moreover, the 2019 amendments to the Criminal Code have aligned the legislation with the EU Environmental Crime Directive and include specific provisions directly applicable to the protection of protected areas. Key provisions include the specific criminalization of the "degradation of habitats in protected areas" (Article 202/b), damage to protected species (Article 202), illegal logging within protected areas (Article 205), and intentional forest fires (Article 206/a). However, the Albanian Criminal Code does not yet cover all offences listed in the EU Directive and does not fully provide for the criminal liability of legal persons. For example, illegal construction or activities within a protected area are not expressly defined as criminal offences, except in cases where they involve habitat destruction or other elements explicitly listed in the Code.

8. Law No. 10448/2011, as amended

Despite the severe penalties provided for on paper, enforcement remains weak due to the limited capacities of law enforcement agencies, poor inter-institutional cooperation, and—most importantly—the low level of awareness and the perception of such offences as "victimless crimes". The perception of environmental crimes as "victimless" constitutes a cultural and institutional barrier that leads to their systematic deprioritization by the police, prosecution services, and courts, thereby fostering a culture of impunity. The prohibitions set out in the Law on Protected Areas must be supported by a credible threat of punishment. Where such a threat is absent, deterrence fails, and the protection of protected areas becomes almost entirely dependent on the physical patrolling by NAPA rangers—an impossible task, given the severely limited resources available.

5.6 Law "On Forests"[9]

This law replaced the previous forestry legislation, establishing a modern framework for the sustainable management of forests in Albania. It reaffirms the classification of the forest fund into functional categories (such as production forests, protective forests, etc.) and provides for forest management plans and measures aimed at conserving forest resources.

Interaction with Protected Areas: A significant portion of protected areas consists of forests; this law provides that forests with a protective function—including forests within national parks, nature reserves, and natural monuments—are subject to a special protection regime. Logging in such forests is prohibited or strictly limited, in line with the conservation objectives set out in the Law on Protected Areas. Under the new law, illegal logging is classified as a criminal offence punishable by imprisonment (rather than an administrative offence, as under the previous regime), thereby strengthening enforcement mechanisms against forest destruction within protected areas.

Furthermore, the Law on Forests emphasizes the role of forestry authorities in monitoring and controlling forest territories, but a critical issue is coordination with the National Agency of Protected Areas (NAPA). Law No. 81/2017 places the management of forests within protected areas under the authority of the NAPA; at the same time, the Law on Forests assigns the National Forestry Agency general responsibility for the forest fund. This dual framework creates a clear need for institutional cooperation and well-defined protocols—for example, forestry inspectors and environmental rangers must operate jointly.

The Law on Forests also provides for the continuation of the temporary forest moratorium (a ban on industrial logging) for a ten-year period, as a measure aimed at forest recovery. These measures are consistent with European practice in forest protection (even though the EU does not have a specific forests directive, its policies promote forest conservation and the tackling of forest-related crime). A remaining challenge is overcoming overlapping competences: it must be ensured that the stricter rules of the Law on Protected Areas prevail over any exploitation permits that might be erroneously issued under the Law on Forests for those territories.

9. Law No. 57/2020

5.7 Law "On Water Resources"[10]

This law establishes the framework for integrated water resources management in line with the EU Water Framework Directive 2000/60/EC. It aims to protect and improve the status of surface and groundwater through river basin management plans, water permitting systems, and water protected areas. Regarding protected areas, this law has implications in two main respects:
(i) Water quality and quantity—ensuring that, within a protected area containing aquatic ecosystems (e.g. lagoons, lakes, rivers), ecological conditions are respected; and
(ii) Competition for water use—water-use licenses (e.g. for hydropower, irrigation, or drinking water supply) must consider the presence of protected areas. The law introduces the concept of "water protected areas"—territories requiring a high level of water protection, such as drinking water protection zones, fishing areas, or aquatic habitats of significance. These areas may overlap with environmental protected areas, thus necessitating coordination: for example, a national park containing a lake should also be treated as a water protected area, subject to stricter protection standards. Alignment with EU standards is, in principle, high—the new Law No. 29/2024 on Water Resources integrates river basin management planning principles and the ecological objectives of the Water Framework Directive. Nevertheless, practical implementation remains a challenge. In the past, for instance, certain hydropower concessions in river basins within protected areas were approved without fully assessing the water system's carrying capacity, indicating a lack of synergy between water authorities and environmental authorities. To ensure effective protection of protected areas, the National Water Council and river basin agencies, when reviewing water permits, should refuse or condition authorizations that negatively affect a protected area (e.g. by ensuring ecological flow requirements in rivers within national parks). While the current law allows for this in theory, the detailed mechanisms—such as integrating water permit databases with protected area maps and mandatory consultation with the NAPA —could be further strengthened.

10. Law No. 111/2012, as amended, repealed and replaced by Law No. 29/2024

5.8 Law "On Territorial Planning and Development"[11]

This law constitutes the core framework for spatial planning in Albania, defining the types of plans (national, local, detailed, sectoral, and areas of national importance), the approval procedures, and development control mechanisms. It is closely linked to the management of protected areas, as urban and development plans must comply with the restrictions arising from environmental legislation. The law requires territorial plans to identify areas of environmental value and to provide protective measures. For example, a General Local Plan adopted by a municipality must map national parks, natural monuments, and other protected areas within its territory, assigning them the status of "areas with absolute development restrictions" for new construction. At the national level, the Integrated Intersectoral Plan for the Coast and other strategic plans also address ecosystem conservation, often aiming to establish ecological corridors or green networks aligned with the protected areas network. Alignment with the EU acquis in this field is reflected mainly through the SEA and EIA instruments; the planning law itself does not stem from a specific EU directive but integrates the principles of sustainable development. A critical issue has been the coherence between territorial plans and protected areas. In the past, there were instances where local regulatory plans envisaged developments (e.g. tourism zones) within the boundaries of protected areas, either because the protected area was designated after the plan's approval or due to lack of information or political will at the local level. This situation has been gradually improving. Law No. 107/2014 (amended several times, most recently by Law No. 41/2024) has strengthened requirements for inter-institutional coordination. When approving local plans, the National Territorial Council (NTC) now pays closer attention to consistency with sectoral policies, including environmental protection. Nevertheless, legal gaps remain. The territorial planning law also provides for projects of national importance (e.g. strategic infrastructure) that may deviate from approved plans and, through specific government decisions, may be authorized even within areas that are theoretically protected. This legal space—designed to allow developmental flexibility—can undermine the integrity of protected areas in the absence of strong safeguards. The Vjosa–Narta airport case is illustrative: the territorial planning law and the law on strategic investments were used to approve a development (an airport) within a protected area, effectively circumventing the restrictions of the Law on Protected Areas. This conflict highlights the need for full alignment between sectoral planning legislation and environmental law, for example, by clearly establishing that no development derogations are permitted within NATURA 2000 network areas (expected to be designated in the context of EU integration) without undergoing the strict Appropriate Assessment procedures required by the Habitats Directive. In other words, full legal coherence remains to be achieved, whereby territorial plans function as an additional protective instrument for protected areas—blocking inappropriate initiatives already at the planning stage—rather than occasionally becoming a source of inconsistency.

11. Law No. 107/2014, as amended

6.1 Law "On the Protection of Agricultural Land"[12]

This law ensures the protection of the agricultural land fund against conversion. Although it is not directly linked to protected areas, it has an indirect positive impact: it restricts the conversion of agricultural land to urban or industrial uses, which helps prevent urbanization within or adjacent to protected areas (many national parks include land-use mosaics with traditional agricultural parcels within their boundaries). However, in specific cases, the law itself allows expropriation for reasons of public interest, which may be used to justify projects within protected areas. Therefore, coordination with environmental authorities remains crucial.

6.2 Law "On Hunting"[13] and Hunting Moratoria

This law, together with the hunting moratoria, is of direct relevance. Since 2014, Albania has imposed a nationwide hunting moratorium, which has been repeatedly extended (currently in force until 2025). This measure has been crucial for wildlife within protected areas, significantly reducing pressure on rare birds and mammal species. The Law on Hunting, which is partially harmonized with the EU Birds Directive, provides that hunting is prohibited within protected areas, except for specific zones where regulated hunting may be permitted (e.g. managed hunting zones, a category foreseen under the former protected areas legislation, but which does not effectively exist under the 2017 law).

6.3 Law "On Fisheries"[14]

This law regulates the sustainable use of fisheries resources and establishes closed seasons and areas for fishing during spawning periods. It affects aquatic protected areas (such as lagoons and marine protected areas) by overlapping with them. For example, in the Karaburun–Sazan Marine Park, fishing prohibitions under fisheries legislation complement the restrictions imposed by the Law on Protected Areas, although specific management plans are required for such marine areas to integrate and consolidate both regulatory regimes.

12. Law No. 9244/2004, as amended
13. Law No. 10253/2010, as amended
14. Law No. 64/2012 "On Fisheries"

6.4 Law "On Tourism" [15]

This law is also highly relevant: it promotes sustainable tourism and provides for the designation of tourism development zones, while requiring that tourism activities comply with environmental legislation. Alignment with European principles of sustainable tourism is reflected in provisions that encourage ecotourism and the use of natural resources without causing harm. Nevertheless, a potential conflict arises where planned tourism infrastructure (such as resorts and accommodation facilities) is located within protected areas. The tourism law itself does not provide an automatic resolution for such situations, instead referring to the requirement to obtain environmental permits and to comply with spatial planning instruments.

Law No. 93/2015 "On Tourism" recognizes Protected Areas as essential "natural tourism resources," thereby establishing a direct link between their conservation and their economic valorization through tourism. The core principle of the law is that tourism development planning must be integrated and aligned with national spatial plans, the tourism strategy, and—most importantly—with the applicable environmental legislation. This dual approach seeks to balance the promotion of investment with the need to safeguard the natural assets that make tourism attractive.

The primary protective mechanism provided for in this law is Article 29, which stipulates that any development or operation of a tourism enterprise (such as hotels or resorts), particularly within "tourism development priority areas," must be carried out in full compliance with the management plans of the protected areas network. This provision functions as a legal safeguard, conditioning tourism development on adherence to the specific rules applicable to each protected area. In theory, this means that the tourism law does not operate in a vacuum, but is hierarchically subject to the environmental framework, requiring that any project pass through environmental permitting procedures and management plan requirements before approval. As such, compliance with protected areas legislation becomes a prerequisite for any tourism activity within or adjacent to protected areas.

In practice, pressure for large-scale infrastructure development creates an inevitable conflict with conservation objectives. The designation of "tourism development priority areas" by the National Territorial Council (NTC) may generate points of tension, particularly where such areas overlap with or border protected areas. The Tourism Law does not provide an automatic resolution to this conflict; instead, it transforms it into a procedural contest, in which economic interests confront conservation imperatives. This conflict has been significantly exacerbated by the 2024 amendments to the Law on Protected Areas, which introduced and authorized "excellence tourism." These amendments have substantially weakened the protective mechanisms upon which the Tourism Law relied, creating a direct clash between the two legal frameworks and tilting the balance in favor of uncontrolled tourism development.

15. Law No. 93/2015, as amended

6.5 Law "On Strategic Investments"[16]

This law was drafted with the aim of stimulating and accelerating economic development by attracting large-scale investments in priority sectors such as tourism, energy, and infrastructure. Its central mechanism is the granting of "strategic investment / strategic investor" status by the Strategic Investments Committee (SIC), a high-level body chaired by the Prime Minister. This status provides projects with a range of facilitations, including accelerated administrative procedures and support through access to state-owned real estate. Initially, the law included a protective safeguard, requiring the Albanian Investment Development Agency (AIDA) to verify that properties proposed for investment were not part of protected areas, thereby establishing a clear separation between development zones and conservation areas.

This separation between development and conservation has been systematically eroded. The core problem does not lie in the Law on Strategic Investments per se, but rather in its unhealthy interaction with the 2024 amendments to the Law on Protected Areas. The amendments to the latter deliberately created legal openings to allow precisely the types of developments promoted by the strategic investments' framework. By permitting the construction of "excellence accommodation structures" and other economic activities within protected areas, the nature protection legal framework was reshaped to serve the investment framework. This transformation has effectively turned the Law on Strategic Investments from a development instrument into a direct threat, providing the mechanism through which protected areas—now legally weakened—can be exploited.

The practical impact of this legislative combination is evident. Cases such as the approval of a tourism project within Butrint National Park, an area of international Ramsar importance, illustrate how the economic imperative of a "strategic investment" prevails over conservation obligations. Of the 17 strategic projects approved in 2021 alone, four were located within or in very close proximity to protected areas. This pattern has been sharply criticized as a mechanism that enables powerful political and business interests to appropriate public natural assets for private gain, effectively turning the "strategic" status into a justification for construction even in the country's most valuable and ecologically sensitive territories.

16. Law No. 55/2015

6.6 The Mountain Package[17]

Following the 2024 amendments that reopened protected areas to investment, Law No. 20/2025 "On the Mountain Package" pushes the same paradigm even further by paving the way for the de facto privatization of state-owned forests, pastures, and meadows, in exchange for a symbolic fee of EUR 1.

Below is an overview of the main provisions of the new law:

- Following the designation of a "mountain economy development priority area," non-owner occupants (with at least 10 years of possession) may purchase state-owned land for EUR 1, provided that they submit an investment project.
- The law itself clarifies that land classified as "forest," "pasture," or "meadow" is not considered inalienable public property and may therefore be privatized.
- Development permits are granted by the National Territorial and Water Council (NCTW) even in the absence of an approved territorial plan or where the existing plan does not allow construction.
- Investors benefit from exemptions of up to 10 years from VAT, taxes, and infrastructure fees; the scheme is capped at 500 beneficiaries, on a "first-come, first-served" basis"

In this way, the "Mountain Package" marks a second turning point (following the amendments to the Law on Protected Areas) in the logic of nature management: from "development within the boundaries of protected areas" (Law No. 21/2024) to the transfer of state-owned natural assets into private hands as a precondition for economic development". This model:

- Undermines the constitutional status of forests as public assets by classifying them as marketable land (Article 8/1/b)
- Centralizes decision-making within the NCTW, bypassing local planning filters and environmental expertise, and effectively creating "fast-track corridors" for high-altitude tourism–residential projects.
- Increases pressure on mountain ecosystems: long-term interventions (roads, resorts, energy facilities) may fragment ecological corridors that are connected to existing protected areas.
- Conflicts with EU standards on the public ownership of forests, sustainable management, and the principle of "non-destructive use" of mountain ecosystems (as reflected in the Habitats Directive, the new EU Forest Strategy, and related instruments).

17. Law no. 20/2025

VII. SUMMARY OF SECONDARY LEGISLATION IMPLEMENTING THE LAW ON PROTECTED AREAS

The secondary framework (bylaws) plays a critical role in the implementation of Law No. 81/2017 "On Protected Areas." The law itself provided the adoption of several Decisions of the Council of Ministers (DCMs) as well as ministerial guidelines/orders to supplement and operationalize its specific provisions. Following the law's entry into force, the competent authorities adopted a series of key secondary acts—primarily during the 2018–2020 period—which addressed the operational aspects of protected area management and significantly strengthened the regulatory framework. These secondary acts regulate a wide range of issues, from institutional structures and procedures for the designation of protected areas, to technical criteria for zoning, permitted uses, and penalties for damage within protected areas. Below is a summary table of the main secondary acts, outlining the purpose and status of each instrument:

Table 4. Summary of secondary legislation, their purpose, and status

Secondary legal act	Main purpose	Status
DCM No. 102, dated 04.02.2015, "On the establishment, organization, and functioning of the National Agency of Protected Areas (NAPA) and the Regional Administrations of Protected Areas."	Establishes the institution responsible for protected areas— NAPA —and the 12 regional administrations (one for each county), defining their organizational structure, reporting lines, and core responsibilities. This provides the executive framework for on-the-ground management of protected areas.	Approved; in force (2015–present).
DCM No. 593, dated 09.10.2018, "On the composition, functions, duties, and responsibilities of the management committees of environmental protected areas"	Establishes Management Committees for each protected area— interinstitutional bodies involving local government, central agencies, and local stakeholders. The aim is to enhance coordination at the local level and to ensure the involvement of communities and experts in decision-making related to protected areas.	Approved; in force (2018–present).

Secondary legal act	Main purpose	Status
DCM No. 57, dated 06.02.2019, "On the criteria and procedures for zoning the territory of an environmental protected area"	Defines the methodology for the internal zoning of a protected area, i.e. its division into functional sub-zones (core/strict protection, buffer, sustainable development). This act ensures a uniform, science-based approach, requiring that each newly designated protected area be equipped with a zoning plan prior to its official designation.	Approved; in force (2019–present); may require updating following the 2024 amendments (e.g. to incorporate the definition of an "undisturbed natural area").
DCM No. 414, dated 19.06.2019, "On the rules, criteria, and procedures for the use of caves for tourism purposes."	Establishes standards and procedures for the tourism use of caves within protected areas. It provides for protective measures (e.g. requirements for lighting and minimal infrastructure) to ensure that tourism activities in caves—often designated as natural monuments—do not harm their natural values.	Approved; in force (2019–present).
DCM No. 302, dated 10.05.2019, "On the criteria for the conduct, approval, and monitoring of scientific research activities in environmental protected areas"	Regulates the procedures for conducting scientific research within protected areas. It requires the obtaining of a research permit from the NAPA / MTM and establishes criteria ensuring that research activities (e.g. collection of biological samples, wildlife monitoring) are carried out without damaging ecosystems, and that their results contribute to the management of the protected area.	Approved; in force (2019–present).

Secondary legal act	Main purpose	Status
DCM No. 303, dated 10.05.2019, "On the approval of the revised and updated list of Albanian Natural Monuments."	Approves the official list of Natural Monuments in Albania, updated to reflect additions and amendments from recent years. The 2019 list includes 747 natural monuments (e.g. caves, waterfalls, centuries-old trees), specifying coordinates, category, and protection regime for each site.	Approved; in force (2019–present); periodic updating required to include newly designated monuments (e.g. monuments designated in 2022–2023).
DCM No. 369, dated 29.05.2019, "On the approval of the rules for the designation of Special Areas of Conservation (SACs)"	Defines the procedures and scientific criteria for the identification and designation of Special Areas of Conservation (SACs). This term corresponds to Emerald / NATURA 2000 sites; the act complements the law by establishing the legal basis for the creation of the ecological network (SACs) in the context of the Bern Convention and alignment with the EU Habitats Directive.	Approved; in force (2019–present); to be applied more broadly upon the designation of the NATURA 2000 network (currently in the candidate phase).
DCM No. 128, dated 13.02.2020, "On the determination of the value of damage caused in environmental protected areas, and its collection and administration"	Establishes the financial methodology for calculating environmental damage within protected areas (e.g. damage resulting from illegal logging, fires, or prohibited hunting) and the procedures for collecting compensation. The monetary sanctions collected are used for the rehabilitation of damaged areas, thereby creating an economic deterrent mechanism against violations.	Approved; in force (2020–present).

Secondary legal act	Qëllimi kryesor	Statusi
DCM No. 866, dated 10.12.2014, "On the approval of the lists of natural habitat types, plants, animals, and birds of interest to the European Union."	Approves the official list of habitats and species of special European interest found in Albania. The 2014 list includes natural habitat types and species (flora and fauna) corresponding to those listed in the EU Habitats Directive and the EU Birds Directive, serving as the scientific basis for the identification of NATURA 2000 / Emerald sites in the country.	Approved; in force (2014–present); may require updating to reflect taxonomic changes or additions to EU lists (e.g. the inclusion of newly identified invasive species).

As can be observed, most of the above secondary acts have been adopted and are in force, thereby filling the regulatory framework required by Law No. 81/2017. These Decisions of the Council of Ministers and ministerial instruments have addressed key needs: the establishment of management structures, procedures for designation and zoning, mechanisms for local cooperation, national inventories of natural values, rules governing permitted activities, and financial and penal enforcement tools. The practical implementation of the Law on Protected Areas has been made possible precisely through these implementing acts. An overall assessment indicates that, during the 2017–2020 period, the Ministry of Tourism and Environment adopted almost all first-level secondary legislation envisaged by the law (as also evidenced by the list above). This has enabled tangible improvements in the administration of protected areas: for example, each newly designated area can now be equipped with a zoning plan pursuant to DCM No. 57/2019; management committees can be established; penalties for damage can be calculated using a unified methodology; scientists operate within a clear framework for research activities; and so forth.

Despite this progress, several regulatory gaps remain that require attention, particularly in light of the 2024 legislative amendments (Law No. 21/2024). First, a number of secondary acts need to be reviewed and updated to align with the new legal framework. For example, the zoning DCM (No. 57/2019) should reflect new concepts introduced by the law, such as "natural (minimally/undisturbed) areas." Likewise, the introduction of "excellence tourism" and the in-principle authorization of accommodation structures within protected areas under the new law necessitate additional regulatory instruments. The law provides that the National Territorial Council (NTC) should adopt a specific regulation setting out the criteria to be met by constructions and activities within protected areas. As of the time of reporting, this NTC regulation has not yet been issued, creating legal uncertainty in implementation—for instance, "excellence tourism" projects may be proposed in the absence of a clear secondary framework defining applicable standards.

Second, some secondary acts envisaged by the 2017 law have not yet been adopted. The original law provided, for example, for ministerial guidelines on management plans, biodiversity monitoring in protected areas, and annual reporting formats by protected area administrations. While some of these aspects have been addressed indirectly (e.g. through internal NAPA guidance on reporting and management plan templates), formal ministerial instructions are still lacking. This gap may lead to inconsistencies in the quality of plans and reports across different protected areas. Third, certain existing instruments have become outdated or effectively inoperative due to changing circumstances. For instance, DCM No. 636/2019 on municipal natural parks established criteria enabling municipalities to propose local protected areas but has seen very limited application to date. Similarly, the beaches regulation (DCM No. 171/2019) was implemented only briefly before being suspended or altered by subsequent tourism policies. In addition, the EU habitats and species list (DCM No. 866/2014) may require updating considering taxonomic revisions and the need for full alignment with current Emerald network lists.

Attention must be paid to strengthening the secondary regulatory framework for the implementation of the 2024 amendments. This requires the adoption of guidelines on the review of infrastructure projects within protected areas (clarifying the permissible scope, applicable limits, and assessment procedures); guidelines on the traditional use of natural resources (as the new law recognizes certain rights of local communities that must be operationalized through implementing acts); and regulations on compensation and benefit-sharing for local communities in relation to protected areas. For example, a portion of revenues from entrance fees or fines could be returned to local communities—a mechanism often cited as good practice by the IUCN, but not yet formally established in domestic legislation).

In conclusion, the secondary regulatory framework of the Law on Protected Areas is largely complete and functional, but it requires continuous maintenance. Finalizing the remaining implementing acts, updating existing instruments, considering legislative changes, and addressing newly emerging gaps (e.g. invasive species control, mass visitor management, etc.) are essential to ensure effective and uniform enforcement of the law. Only with a comprehensive secondary framework—aligned with EU standards and implemented with rigor—can the ambitious objectives of protected areas legislation be fully achieved. These issues will be revisited in subsequent sections of the report, which analyze practical challenges, shortcomings and gaps, and provide recommendations for further strengthening the legal and regulatory framework.

VIII. INSTITUTIONAL FRAMEWORK FOR THE MANAGEMENT OF PROTECTED AREAS

The management of protected areas in Albania is based on an institutional structure in which the Ministry of Tourism and Environment (MTE) plays the leading role as the authority responsible for environmental policymaking. Within the MTE operates the Directorate for Biodiversity and Protected Areas, which is responsible for the drafting of policies and strategies and for preparing proposals for the designation of new protected areas.

At the executive and managerial level, the key institution is the National Agency of Protected Areas (NAPA). NAPA was established in 2015 (DCM No. 102, dated 04.02.2015) and, with the adoption of Law No. 81/2017, was confirmed as the central state institution responsible for protected areas, operating under the authority of the Minister. NAPA has the status of a General Directorate and exercises nationwide authority over the conservation and administration of protected areas. At the local level, NAPA is organized through the Regional Administrations of Protected Areas (RaPA), established in each county. These administrations are directly responsible for managing the protected areas within their respective jurisdictions—ensuring day-to-day conservation (rangers, inspections), enforcement of regulations, maintenance of infrastructure (trails, visitor centers), and local environmental education.

The competences of NAPA and the RaPAs include: implementation of management plans, biodiversity conservation (e.g. fire prevention measures, protection against illegal hunting), monitoring of environmental conditions, provision of tourism and educational services, and engagement with local communities to promote sustainable development. NAPA also proposes the designation of new protected areas, prepares the technical documentation (studies and maps), and submits it to the Minister for approval. The law provides that the functions, rights, and duties of NAPA be further detailed through secondary legislation and in the Agency's internal regulations, which were adopted following its establishment (NAPA operates under an approved internal regulation governing its organization and functioning).

8.1 Other related agencies and structures

For nature conservation, in addition to NAPA, there are other institutional entities with specific roles:

- State Inspectorate for Environment, Forests, Water and Tourism (SIEFWT) (reorganized several times and currently part of the National Inspectorate for Territorial Protection). This inspectorate also covers protected areas, overseeing compliance with environmental and territorial legislation (e.g. illegal construction, pollution, prohibited hunting) and is empowered to impose fines and other administrative measures against violators.

- Water Basin Management Agency and the Marine Protected Areas Agency (still under development) are structures with competencies in the conservation of aquatic ecosystems, particularly in marine and coastal areas. At present, NAPA also manages certain marine protected areas (e.g. the Karaburun–Sazan Marine Park), but the establishment of a specialized unit dedicated to marine protected areas is envisaged for the future.

8.2 The role of local government (Municipalities)

Until 2024, the role of local government units (municipalities) in the management of protected areas was limited, mainly to cooperation with the Regional Administrations of Protected Areas (RaPAs) and participation in management committees in an advisory capacity, as the principal protected areas (e.g. national parks, nature reserves) were public property administered by central government. Nevertheless, some municipalities (such as Tirana) undertook initiatives to conserve local green spaces, such as the Tirana Green Belt. Law No. 21/2024 formally introduced the concept of the "municipal natural park," granting municipalities the ability to propose the designation of small parks within their jurisdiction and to manage them directly. The new law significantly expands municipal competences in the management of protected areas—according to the government, with the aim of enabling local self-government units and local communities to become active participants in decision-making related to the protection and use of protected areas. This expanded role includes more active participation in management committees and consultations on management plans, as well as the direct administration of municipal natural parks. For example, following the establishment of the Municipal Natural Park category, the mayor assumes a leading role in the administration of the park, in cooperation with NAPA.

8.3 Institutional changes following Law No. 21/2024

- Consolidation of the role of the National Territorial Council (NTC):

- The new law (No. 21/2024) introduced a significant institutional shift by granting the NTC —a high-level body chaired by the Prime Minister, with members including ministers and several mayors—decision-making authority over any investment or infrastructure within protected areas. Previously, NTC did not have a direct role in approving developments within protected areas (except where it issued development permits for specific projects under territorial planning legislation). Now, NTC becomes the primary decision-maker for developments within protected areas. This constitutes a major institutional change: decisions that were formerly taken by environmental authorities or through specific Decisions of the Council of Ministers are now made by a body primarily oriented toward development. This has raised concerns regarding overlapping competences and the risk that environmental protection considerations may be subordinated to economic interests. Moreover, the new law entrusts NTC with drafting the technical regulations governing development within protected areas, meaning that the NTC will effectively set the standards determining what types of construction or infrastructure are permitted within national parks or protected landscapes. This poses a risk of weakening the role of NAPA and the Ministry of Environment, as these institutions may

find themselves in a subordinate position to the NTC when it comes to concrete development decisions within protected areas.

- Establishment of the National Parks Administration Office (ZAPK): A new element introduced by Law No. 21/2024 (through Article 17 of the amendments) is the creation of a new structure known as the "National Parks Administration Office" (ZAPK). This Office is envisaged as a technical–administrative body under the authority of the Minister, with a specific mandate focused on the management of national parks. ZAPK is expected to operate at the central level and to exercise competences within the territory of each National Park, in accordance with the tasks that will be assigned to it through Decisions of the Council of Ministers establishing each office—decisions which, to date, have not yet been adopted (with the exception of the Vjosa National Park ZAPK). At present, there is no clear clarification on how the role of ZAPK will be harmonized with that of NAPA, creating institutional uncertainty regarding the distribution of responsibilities in the management of national parks.

- Management Committees and the expanded role of local government:

- Under the new law, it is expected that the existing regulation on Management Committees (DCM No. 593, dated 12.09.2018) will be amended to strengthen the role of mayors and representatives of local communities. The government has emphasized that the new law "guarantees the involvement of local communities" in decision-making processes concerning protected areas. In practical terms, this may mean that mayors will exercise a more decisive role within management committees for protected areas located within their municipal territory, and that committee decisions may acquire a more binding character. At the same time, the possibility for municipalities to directly administer local protected areas (such as municipal natural parks or "green belts" around cities) fundamentally alters the institutional landscape. Whereas NAPA previously held a near-monopoly over the administration of protected areas, the new framework may result, for example, in the Municipality of Tirana managing its Green Belt, or the Municipality of Gjirokastra managing a local natural park in Viro. This shift requires strong coordination between central authorities (NAPA/MTE) and local government, particularly on technical and financial matters, to ensure that conservation standards remain consistent and uniformly applied across the country.

- Human and financial capacities: The institutional challenges that existed prior to the legislative amendments remain present. NAPA and the Regional Administrations have often operated with limited capacities (insufficient staff numbers, modest budgets relative to the territories they cover, and ongoing training needs). The expansion of the protected areas network to approximately 21.4% of Albania's territory is a major achievement, but it places a substantial burden on the managing institutions. Currently, around 5,263 km² are designated as protected areas (2023 figure, ~18% of national territory; with recent designations this has risen to over 21%). The network includes 12 national parks (including the first marine national park, Karaburun–Sazan), 718 natural monuments, 23 managed nature reserves, 11 protected landscapes, and others. The geographic extent of these areas is large and

widely dispersed. For example, the newest national park, the Vjosa River National Park (designated in March 2023), covers approximately 270 km of river length, crossing several municipalities. Effective management of such an area requires specialized personnel (e.g. river rangers, aquatic biologists) and logistical resources (boat access, monitoring equipment). These capacities require sustained financing. To date, core funding has come primarily from the state budget and donor-funded projects. According to an NAPA financial plan from 2019, approximately 90% of NAPA funding was provided by the state budget, while self-generated revenues accounted for only 7–9%. The new law does not directly address the need to increase financial or human resources to support the new development-oriented approach. If greater human activity within national parks is to be allowed (e.g. mass tourism, construction), this will necessitate more environmental inspectors on the ground, enhanced monitoring tools, and robust contingency plans (e.g. for pollution incidents or wildfires). At present, these capacities appear insufficient.

The table below presents a summary of the main institutions and their respective competences, including the changes introduced following the entry into force of Law No. 21/2024

Table 5. Main institutions and their competences

Institutions	Main duties / key responsibilities
Ministry of Tourism and Environment	Formulates and implements state policy on protected areas; proposes the designation, amendment, or revocation of a protected area; approves the 10-year management plans of protected areas (prepared by NAPA); determines and approves the internal zoning of protected areas; proposes the expansion or reduction of area boundaries or the change of category of a protected area; issues secondary legislation (guidelines, orders) for the management of protected areas; and coordinates subordinate institutions (NAPA, ZAPK) in the implementation of national environmental policies.
Council of Ministers	Declares and amends the status of protected areas through government decisions (DCMs), upon proposal by the Minister; approves the boundaries, category, and conservation objectives for each new protected area; adopts key secondary legislation governing the administration of protected areas (e.g. rules on the use of funds and revenues of protected areas, zoning criteria and subdivision into sub-zones, specific protective measures); establishes new institutional structures as necessary (e.g. approves by DCM the establishment of a National Park Administration Office and its structure); and takes decisions on the allocation of budgetary funds for protected areas (e.g. approval of a dedicated Protected Areas Fund).

Institutions	Main duties / key responsibilities
National Territorial Council (NTC)	Approves the internal zoning of protected areas (division into sub-zones with different levels of protection) prior to their official designation, ensuring integration with national territorial plans; reviews and approves technical criteria for construction and development within protected areas—under the 2024 legislative amendments, any significant development permit application within a protected area is submitted to the NTC, which sets technical conditions or rejects the project; acts as a central filter for strategic projects, centralizing decision-making for developments in protected areas (the Council is composed of ministers and chaired by the Prime Minister, which renders its decision-making highly political).
National Agency of Protected Areas (NAPA)	Central executive institution for the nationwide administration of protected areas; directly manages, or manages through the Regional Administrations of Protected Areas (RaPAs), all categories of protected areas in Albania; prepares management plans for protected areas (in consultation with local stakeholders) and submits them to the Minister for approval; internal organization: composed of a Central Directorate and Regional Administrations (RaPAs) in each county; core responsibilities: implements conservation policies on the ground, continuously monitors the condition of protected areas, ensures compliance with protective rules, and establishes and maintains the national protected areas database; approves or rejects activities with environmental impacts within protected areas (as part of the environmental permitting process); manages the network's finances (including revenues from fees, donations, and the state budget); trains staff and coordinates environmental rangers; and undertakes environmental education programs while promoting sustainable development initiatives (e.g. nature-based tourism) within protected areas.

Institutions	Main duties / key responsibilities
Regional Administrations of Protected Areas (RaPAs)	Local structures of NAPA, based in each county; responsible for the on-the-ground management of protected areas within the county's territory (including national parks, protected landscapes, nature reserves, natural monuments, as applicable); implement management plans and NAPA guidelines in the field; continuously monitor habitats and species; engage local communities and visitors in conservation activities (environmental education, guiding, awareness); inspect and report violations in cooperation with the Environmental Inspectorate; implement restoration and infrastructure projects financed by NAPA or donors; serve as the technical secretariat of Management Committees; report periodically to NAPA on the performance of protected areas and encountered challenges. (Note: Following the establishment of ZAPKs, RaPAs are excluded from responsibilities in national parks where a ZAPK operates and focus primarily on other protected areas within the respective county).
National Park Administration Office (ZAPK)	New structure (Law No. 21/2024) under the Ministry of Tourism and Environment (MTE) for the management of a specific National Park; has territorial competence limited exclusively to the designated park; performs all RaPA functions within that park (administration and conservation); coordinates with NAPA in the preparation of management plans and park-specific policies; submits management plans and projects (restoration, research, etc.) to the Minister for approval; carries out maintenance works and conservation interventions within the park; cooperates with other institutions (e.g. forestry authorities, police, local government) on matters affecting the park; reports to the Ministry on the park's status and management performance. (Note: A ZAPK is established for each National Park by a Decision of the Council of Ministers; its organizational structure is approved by Order of the Prime Minister.).

Institutions	Main duties / key responsibilities
Municipality (Local Self-Government Unit)	Fulfills local legal obligations for environmental protection within protected areas located in its territory; cooperates closely with RaPAs/ZAPKs in the local monitoring and administration of protected areas; participates in planning processes by providing opinions during the designation or amendment of a protected area within the municipality; may directly administer a protected area where assigned by Decision of the Council of Ministers (municipal management model); conducts its own inspections (e.g. through municipal police or environmental units) to prevent pollution or illegal construction in local protected areas; establishes, where feasible, a municipal environmental unit responsible for environmental protection and protected areas; participates in tripartite contracts with RaPAs/ZAPKs and private users for the temporary use of pastures or other resources within protected areas; and informs and raises awareness among local communities about the importance and rules governing protected areas.
Prefect (County Prefecture)	Represents the central government at the county level; chairs the Protected Areas Management Committee within the county, ensuring coordination among municipalities, RaPAs/ZAPKs, and regional branches of sectoral institutions; oversees the implementation of protected area management plans within the scope of the authority vested in this role; may convene meetings with local stakeholders to address emergency issues affecting protected areas (e.g. sudden pollution incidents, forest fires, flood damage); reports to the Minister on major issues requiring central-level intervention. In the capacity of Committee Chair, the Prefect facilitates the resolution of local inter-institutional conflicts and ensures that central government decisions are implemented on the ground.

Institutions	Main duties / key responsibilities
Protected Area Management Committee	Local collegial body established for a specific protected area, with multi-sectoral composition: chaired by the Prefect; members include the relevant Mayor, the head of the RaPA/ ZAPK, representatives of regional sectoral institutions (forestry, water, agriculture, tourism, infrastructure), environmental NGOs, and community representatives (including landowners within the protected area). Primary oversight/advisory function: monitors the implementation of the management plan and compliance with area restrictions; discusses emerging issues (e.g. illegal activities, investment needs, stakeholder conflicts) and forwards recommendations to the competent authorities (NAPA the Ministry, the Municipality, etc.); adopts its internal rules of procedure and keeps minutes/reports of meetings. The technical secretariat is provided by the area administration (RaPA or ZAPK), which prepares materials and follows up on decisions. The Committee meets 1–2 times per year (or as needed for emergencies) and serves as a platform for transparency and accountability in protected area management.

In summary, Albanian legislation relating to protected areas comprises a complex set of closely interacting legal acts. Most of these instruments were drafted with the aim of alignment with the EU acquis and international conventions (Bern, Ramsar, Aarhus, etc.), thereby establishing a relatively solid normative foundation. The environmental framework laws lay down horizontal principles and procedures (EIA, SEA, permitting, inspection, criminal liability) that strengthen the protection of protected areas, while sectoral laws (forests, water, spatial planning, agriculture, tourism) address specific aspects of the management of territories and resources within or adjacent to protected areas.

However, the amendments introduced by Law No. 21/2024 have brought about a far-reaching reconfiguration of the core legal framework for protected areas—affecting the underlying philosophy (acceptance of intensive tourism within protected areas), definitions (greater emphasis on suitability and flexibility), zoning (less restrictive approaches), permitted activities (more strongly oriented toward investment and tourism-economic development), and decision-making institutions (a central role for the National Territorial Council, and new on-site structures). In particular, the new Article 33 and the amendments to Articles 47–50 (zones and sub-zones) reveal a coordinated approach aimed at facilitating tourism developments "a priori": the law itself grants the green light and establishes the mechanisms through which management plans and planning authorities are expected to operationalize that approval.

These changes raise serious questions regarding compatibility with international nature-conservation standards and the EU acquis, as the emphasis appears to have shifted toward the use of natural resources for development, rather than toward the strengthening of their protection.

As a result, protected areas have been transformed from symbols of a social contract for nature conservation into areas where the balance between ecological value and economic aspirations remains unresolved. The new law itself implicitly acknowledges that the traditional conservation model has been replaced by a paradigm that "opens the way to intensive economic development" within boundaries that were once considered inviolable.

The central trade-off is decision-making power: authorities have shifted from environmental administrations to the National Territorial Council, a political body that now approves concrete projects and sets technical construction standards within national parks. Under the banner of "new procedures," this centralization risks dismantling expert filters that previously ensured a critical distance between politics and nature.

Constitutionally, the state continues to bear the obligation to guarantee "a healthy and ecologically suitable environment for present and future generations." Yet the tension between this ideal and the new economic trajectory intensifies each time a strategic permit undermines the symbolic boundaries of protection.

Across the broader legal landscape, protective principles such as “the polluter pays” remain largely rhetorical; the absence of key secondary legislation has rendered the effective application of environmental liability impossible. Disillusion deepens when the underlying rationale becomes clear: short-term economic gains have supplanted a sustainable long-term vision, reducing the environment to an “employment frontier” rather than a legacy for future generations.

The subsequent adoption of the Law “On Mountains” (2025) confirms the continuity of this trend toward the “economization” of natural assets, reinforcing the perception that the new legal framework is shifting the emphasis from conservation to exploitation.

What remains, therefore, is a sense of suspension: the law speaks the language of development, while landscapes respond with the silence of forests, rivers, and coastlines.

Regarding the institutional framework, management of protected areas in Albania has traditionally been centralized within NAPA and the Ministry, with local structures playing mainly an advisory role. The recent legislative changes attempt a new redistribution of powers: strengthening the role of the National Territorial Council (as a centralized decision-making hub for development within protected areas), expanding the role of municipalities (decentralization of local administration for certain categories), and creating new structures (such as ZAPK). These shifts raise critical questions about future institutional coordination. For example, if the National Territorial Council approves the construction of a hotel within a National Park, will NAPA retain any veto power, or will its role be reduced to a purely technical and consultative function?

In the absence of implementing secondary legislation, such issues remain unresolved, highlighting overlapping competences, legal vacuums, and potential conflicts among the involved actors.

The foregoing analysis reveals key inconsistencies, legal conflicts, and regulatory gaps, which will be examined in detail in a separate, follow-up report to this study. If properly addressed, these gaps could significantly enhance the effectiveness of the legal protection of protected areas and prevent negative precedents in practice.