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Republic of Albania
The Albanian Parliament

Law
Nr. 8756, Date 26/03/2001 On

CIVIL EMERGENCY SERVICES

In reliance on articles 78.83 point 1 and 170 of the Constitution, on the proposal of the Council of Ministers.

THE ASSEMBLY OF THE REPUBLIC OF ALBANIA
DECIDED:

CHAPTER I

GENERAL PROVISIONS

Article 1

Aims and Objectives

Civil emergency planning and response is the principal duty of the Government of the Republic of Albania.

It aims:

1. To prevent, mitigate and remedy any damage inflicted on people, animals, property, cultural heritage and environment by emergencies;
2. To provide conditions for public institutions, economic entities and the population for the transfer from ordinary living and working conditions to an emergency situation with the smallest possible losses, for the keeping of order, preservation of human lives, animals, property, cultural heritage and the environment against the effects of an emergency;
3. To guarantee the use of available state resources in order to ensure public security, maintain the continuation of the national economy, localise the emergency areas and alleviate the effects thereof.

Article 2

Definitions

For the purpose of this law:

1. The term "Civil Emergency Planning and Response" means the preparedness of public authorities, institutions and central and local organs of government, economic entities (public or private), public, organisations and the population for an emergency as well as actions in the event of occurrence. It covers prediction, prevention, rescue operation and recovery.
2. The term "Emergency" means a situation, which is caused by natural, ecological, industrial, social factors, acts of terrorists or military actions (in war time), which bring a sudden and grave danger to the health and lives of the population, animals, property, cultural heritage and the environment.
3. The term "National Emergency" is an urgent and critical situation of a temporary nature that seriously endangers the lives, health or safety of the citizens of the Republic of Albania, animals, property, cultural heritage and environment and is of such proportions and nature as to exceed the capacity or authority of the local government organs to deal with it or seriously threatens the ability of the Government of Albania to preserve the sovereignty, security and territorial integrity of Albania.
4. The term "Disaster" means an event or a sequence of events caused by uncontrolled natural or other forces which effect or threaten the life or health of people, animals, property, cultural heritage and environment in such an extend as to require that special measures be taken. special forces and resources be deployed.
5. The term "Natural disaster" means earthquake, flood, landslide, avalanche, strong wind, forest fire, infectious disease affecting humans, animals, property, environment and other disasters caused by natural phenomens.
6. The term "Other disasters" means road, railway, sea, air, fire, explosions, dam collapse, nuclear, ecological, industrial accidents and any other accidents caused by activities and actions of man, as well as war or state of emergency and other forms of mass violence.
7. The term "Risk" means exposure of the people, animals, property, cultural heritage and environment from dangerous effects of natural and other disasters.
8. The term "Risk assessment" means the quantitative and qualitative analysis of natural and other circumstances related to the occurrence of a natural or other disasters.
9. The term "Prediction" means all the activities made for study purposes and identifies the cause of emergencies, identifies areas, territories and objects prone to the same risk.
10. The term "Preventive measures" means any measures taken to prevent a disaster from occurring or to mitigate harmful consequences of a disaster.
11. The term "Rescue operations" means action of forces and equipment for rescue people's life, animals and property in a territory stricken by a disaster as well as providing the basic living conditions for the population affected by disaster.

12. The term "Recovery" means measures and actions taken to set the area as it has been before stricken from the disaster.

13. The term "Civil Emergency Service" means co-ordinated service of state police and other police, the service of civilian protection, fire fighters and ambulance service.

14. Protective measures include organisational and technical measures as well as other means for immediate personal and collective protection of people, animals, property, institutions, cultural heritage and environment against consequences of natural or other disasters.

Article 3

General Principles

1. State organs foreseen in this law are responsible for prevention, response and recovery of the situation after disaster.

2. The state has the right to use any public or private means as well as volunteer organisations, which have a determined role in emergencies to prevent or reduce the consequences of a disaster, in accordance with provisions of the legislation in power as long as this situation continues. In case of an emergency with the decision of the Council of Ministers the law on "Expropriation and temporary taking of private property for public interest" apply.

3. During an emergency, no one's rights, guaranteed by Albanians Constitutional law or even otherwise, may be limited more radically than is inevitable for the handling of the situation.

4. Each citizen in the Republic of Albania in conformity with his real abilities is obliged to contribute in preventing and mitigating the results caused by a disaster, according to the roles foreseen in this law.

5. None of the organs foreseen in this law can exercise competencies outside their field of activity.

6. The authorities, which according to this law are established in emergency situations, have full rights within the competencies and hierarchy to act and they exercise this authority as long as emergency situation occurs.

7. Authorities that according to the law have operational character function on permanent basis and fulfil tasks foreseen in this law to prevent, response and recovery from disasters.

s. Lower authorities or any other persons shall comply with decisions of higher authorities. They enter into force from the moment they are issued. The issuing authority shall provide these to the users immediately after their issue.

CHAPTER II

STRUCTURE OF CIVIL EMERGENCY PLANNING AND RESPONSE ON CENTRAL LEVEL

Article 4

Types of structures

Civil Emergency Planning and Response is organised in two structures permanent and temporary, on

central and local level.

Article 5

The Council of Ministers

The Council of Ministers has the overall responsibility for civil emergency planning and response in the Republic of Albania.

In accomplishing this task its duties are:

1. To approve policies and programmes for achieving an appropriate state of civil emergency planning and crisis management.
2. To provide education and training related to as well as approve a national training programme.
3. To establish for a period no longer than 30 days the state of natural disasters in one area or all over the territory of the country to prevent, respond and recover from civilian emergency situation.
4. To notify the President and the Assembly of the Republic of Albania about emergencies, their consequences and causes.
5. To ask for the approval of the Parliament in order to extend the state of natural disaster beyond 30 days.
6. To make assessments of the level of damage caused by natural and other disasters. in conjunction with other experts as well as assistance for recovery.
7. To arrange and specify procedures for international assistance in the event of emergencies.
8. Decides on material and financial means to prevent and respond to civil emergencies

Article 6

Inter-Ministerial Committee for Emergency Situation

In case of a national emergency an Inter-Ministerial Committee for Emergency Situation is established. The Council of Ministers determines the chairman *of* the Committee, its composition and duties.

The Inter-Ministerial Committee is gathered by the Prime Minister or his deputy and remains together until the end of the causes of the emergency.

The Inter-Ministerial Committee of emergency can call upon experts for advice during an emergency

Article 7

The Task of the Inter-Ministerial Committee Situations

The Inter-Ministerial Committee for Emergency Situations has among others the following tasks:

1. Co-ordinates the action of the reaction force during civil emergencies

2. Co-ordinates the management of state reserves, determines its use
3. Determines ways and procedures in use of material and financial resources
4. Discusses and decides in advance on the estimation of the damage caused by natural disaster and other disasters.
5. Assesses the reconstruction and recovery from natural and other disasters with the aim of protecting people's lives, animal, property, cultural inheritance and environment to prevent possible damages in the future and to insure basic living conditions.
6. Realises other tasks that derive from this law.

Article 8

Ministry of Local Government

The Ministry of Local Government is responsible for the setting up and advancing civil emergency planning and response in the Republic of Albania.

It has the following tasks:

1. Implements, in conjunction with other institutions, the policy of the Council of Ministers in the field of civil emergency planning and crisis management.
2. Co-ordinates the activities of all parties within the civil emergency planning and response system fulfilling their duties and co-ordinates with local government organs in responding to civil emergencies.
3. Organises bilateral relations and international co-operation for the development of civil emergency planning and crisis management.
4. Manages the system of protection against natural and other disasters
5. Develops national strategies and programmes for civil emergency planning and response and submits to the Council of Minister for approval. Elaboration of educational and training programmes in the area of protection against natural and other disasters
6. In conjunction with ministries and institutions it makes risk assessments upon which national emergency plans are made and represented to the Council of Ministers for approval.
7. Takes measures to ensure the awareness of the people about civilian emergencies as well as sets up study funds for public institutions in responding to civil emergencies.
8. Establish agreements with associations, organisations and individuals that offer assistance in the accomplishment of civil emergency planning and crisis management.
9. Twice a year presents to the Council of Ministers general information on the state of civil emergency planning and crisis management
10. Provides the Inter-Ministerial committee for Emergency Situations all necessary information on emergency situations and dangers that they may represent.
11. Follows the procedures for the establishment and use of state reserves given at disposal by state reserve structures for civil emergencies.
12. Determines the procedures for using material resources in case of civil emergency

13. Co-ordinates the organisation and equipment of the operational forces in civil emergencies
14. Organises the implementation and monitoring of information system on national level on civil emergencies
15. Co-ordinates the assessment of damage caused by natural and other disasters
16. Controls the implementation of protecting and preventing measures in civil emergencies
17. Realises other tasks that derive from this law and other laws.

Article 9

Department for Civil Emergency Planning and Response

In the Ministry of Local Government is set up and functions the Department of Civil Emergency Planning and Response. This directorate shall prepare plans for civil emergencies and ensure its implementation. It makes frequent inspections to see how the measures are taken.

The Council of Ministers determines the structure, responsibilities and competence of the Directorate for Civil Emergency Planning and Response.

Article 10

Technical consultative Commission

Attached to the directorate is established a technical consultative Commission of Experts from other ministries, institutions and representatives of the operational force. The consultative commission is gathered and headed by the Director of the CEP/CM Directorate.

The commission co-ordinates activities in the field of civil emergency planning and response among the different authorities and voluntary organisations.

The Council of Ministers determines the composition of the commission, its functions and procedures upon a proposal from the Minister of Local Government.

The Directorate for Civil Emergency Planning and Response keeps a register of experts upon whom it can call for advice.

Article 11

Public Institutions

Public institutions, when requested by the Directorate for Civil Emergency Planning and Crisis Management, carry out studies, which include prediction and prevention against natural as well as other disasters and submit to the Directorate for Civil Emergency Planning and Crisis Management. Public institutions also submit to the Directorate for Civil emergency planning and response results of studies, which might be of interest for civil emergency planning and response in general.

Article 12

The Ministries

Each Ministry is responsible for the organisation of civil emergency planning and response within their competence.

The ministries have the following tasks:

1. Draw up plans for emergency preparedness according to the type of activity and competence assigned to them. These plans shall be submitted to the Directorate for Civil Emergency Planning and Response for co-ordination.
2. Implement all measures for the prevention of natural and other disasters or the consequences of such disasters in areas within their competence
3. Organise training and education within their area of activity
4. Analyse the state of civil emergency planning and response within their areas of responsibility and submit to the Directorate for Civil Emergency Planning and Response

CHAPTER III

ORGANISATION OF CIVIL EMERGENCY PLANNING AND RESPONSE ON QARK, MUNICIPALITY AND COMMUNE LEVEL

Article 13

The Prefect

The Prefect is responsible for civil emergency planning and response within the respective qarks.

The prefect's duties are:

1. To organise and co-ordinate the drawing up of plans for emergency, preparedness in the circle and implementation of protective measures
2. To obtain and process necessary information for the implementation of civil emergency planning and response tasks from all municipalities and communes
3. To organise notification system for of the population about imminent danger and maintenance of means of warning and notification
4. To provide necessary resources and reserves for emergency accommodation for the population in the event of natural and other disasters
5. To implement the organisation, co-ordination and equipment of the operational force
6. To pursues arrangements to mitigate effects of emergencies and organise respond
7. Recovery from natural and other disasters
8. To analyse the state of civil emergency planning within the circle and inform the Directorate for Civil Emergency Planning and Response of emergencies, which occur in the qark
9. To submit a request for assistance to neighbouring circles and the central authorities if

necessary

Article 14

Organisation in the Circle

A local commission, headed by the Prefect, is established in each circle, which task is to co-ordinate the activities of the circle authorities and voluntary organisations.

The Ministry of Local Government determines the composition, duties and procedures of this commission.

The Prefect keeps a register of experts within the circle, from which he can ask for advice as appropriate.

Article 15

The Civil Emergency Service

Civil emergency service operates in each circle and is in the state of constant readiness as a constituent part of the civil emergency planning and response system, in conformity with article 2.13 of this law.

Council of Ministers determines the procedures., ways of operation, rights and duties and competence of the civil emergency service.

Article 16

The Organisation in municipality and commune level

The mayor and head of commune is responsible for civil emergency planning and response within their respective municipality and commune

The duties of the mayor and head of commune are:

1. To organise and co-ordinate the drawing up of plans for emergency preparedness in the municipality and commune and implementation of protective measures
2. To obtain and process necessary information for the implementation of civil emergency planning and response tasks from the municipalities and communes
3. To organise notification system for of the population about imminent danger and maintenance of means of warning and notification
4. To provide necessary resources and reserves for emergency accommodation for the population in the event of natural and other disasters
5. To implement the organisation, co-ordination and equipment of the operational force
6. To pursues arrangements to mitigate effects of emergencies and organise respond
7. Recovery from natural and other disasters
8. To submitting a request for assistance to neighbouring municipalities and communes and the circle authorities if necessary
9. To analyse the state of civil emergency planning within the municipality and commune and inform the qark.
10. To implement the task determined by the structures of CEP in national level.

Article 17

The Local Commission in the municipality or the commune

A local commission, headed by the mayor or head of commune, is established in each municipality and commune, which task is to co-ordinate the activities of the municipality or commune authorities with voluntary organisations.

The Minister of Local Government determines the composition, duties and operation of the commission

The mayor or head of commune keeps a register of experts within the territory of the municipality or commune upon which he can call for advice as appropriate.

CHAPTER IV

OPERATIONAL FORCES

Article 18

Types of Operational Force

Civil Emergency Planning and Response organisation consist of Civil Emergency Service, Civil Protection Base, Armed Forces, State Police, other type of police depending on the emergency and other organs net foreseen in law but which are included in the relevant emergency plan.

Article 19

Civil Protection Base

The Civil Protection Base, which is subordinated to the Minister of Defence operates on national level. Its mission is to respond to natural and other disasters and it shall be used for special rescue and other urgent operations to reinforce and ensure adequate response to emergencies.

Article 20

The use of the Armed Forces during civil emergencies

When the extent of an emergency grows rapidly, units of the Albanian Armed Forces are used for individual operations at the disaster site, with the approval of Prime Minister or Minister of Defence, in accordance with plans drawn up in advance, which are compiled together with their commanders.

When armed forces participate in protection, rescue and relief they are lead by their commanders in accordance with the directions given by the leader of the rescue operation.

Article 21

State Police

The police shall organise and perform their duties in rescue operations in accordance with plans drawn up in advance.

Their duties include the protection of the emergency area, maintenance of public order, process of information about the victims, identification of dead and the organisation of their removal from the area.

The police shall be managed by their respective leaders according to directions given by the leader of the rescue operation.

Article 22

Fire Fighting and Rescue Service

The Fire Fighting and Rescue Service is a part of the operational forces in permanent readiness and it acts in fire fighting, in search and rescue in emergency areas and in releasing the consequences of natural and other disaster.

Article 23

Ambulance Service

The Ambulance Service is a part of the operational force and provides first aid in the area of emergency and transports injured persons to hospital areas.

Article 24

Volunteer Service

Service of volunteers is organised for responding to emergencies.

Volunteers may be any Albanian citizens over 18 years old. who have received basic training in responding to emergency situations and accept to participate.

During emergency situations foreign citizens can also be admitted to participate as volunteers.

Persons who volunteer to participate in rescue operations have the following rights for the period they are active in the rescue operation:

1. Keeping their job
2. Receiving full payment from their employers
3. Insurance in case of accident

Article 25

The Directorate for Civil Emergency Planning and Response can request the assistance of national and international organisations, nongovernmental organisations and private volunteer organisations to deal with civil emergencies.

Article 26

The Appointment of a Rescue Leader

The prefects, mayors, or head of communes, appoint the leader of a rescue operation in the

respective territory. In case of a national emergency the Inter-Ministerial Commission for Emergency Situations appoints the leader of the rescue operation.

CHAPTER V

SUBJECTS OF THE CIVIL EMERGENCY PLANNING AND CRISIS MANAGEMENT SYSTEM

Article 27

The Obligation of the Citizens

Each citizen of the Republic of Albania is obliged to participate in the civil emergency planning and response system, upon a request from the Directorate for Civil Emergency Planning and Response, prefects, mayors or head of communes.

The obligation to participate in the civil emergency planning and response system shall commence at the age of 18 years and end with the age of 60 years (men) or 55 years (women) respectively.

Article 28

Exempted from the Obligation

The following persons cannot be obliged to participate in civil emergency planning and crisis management:

1. Citizens whose health conditions makes them unfit for rescue operations
2. Pregnant women and mothers with children under the ages of 10 years
3. Single parents with children under the ages of 10 years

Article 29

The Rights of the Citizens

During their active service in civil emergency planning and crisis management, which can not extend the period of 30 days annually, the citizens retain all rights mentioned in article 24 of this law

Article 30

Economic Entities

Economic entities and institutions, which in the pursuance of their activities use, produce, transport or store hazardous substances, are obliged to plan, organise and implement, on their own expenses, services for responding to emergencies within their area of activity.

They shall:

1. Develop plans for emergency situations and implement preventive measures within their area of activity
2. Notify their personnel as well as the respective municipal or commune authority about an imminent risk

3. Organise, when necessary, evacuation of their employees, set up their own organisation for responding to an emergency situation within their area of activity
4. Provide training to their employees

The Council of Ministers determines in subordinate legal act what constitutes hazardous substances, which create threat of emergency situations.

Article 31

Other Obligations

Ministries and other central institutions, the Directorate for Civil Emergency Planning and Response, prefects, mayors and head of communes, plan and implement the duties to enhance civil preparedness in order to respond to civil emergencies.

The Ministry of Education and Science compiles and approves the appropriate programmes for basic elements of education in emergency situations. This programme starts with elementary education to university

CHAPTER VI

FINANCE

Article 32

State Budget

The state budget is the primary financial resource for civil emergency planning and crisis management.

In the annual budget of the Ministry of Local Government as well as the other ministries separate budget for civil emergency planning and response within their respective field of activity, shall be foreseen.

Article 33

Other Resources

Other financial resources can be:

1. State budget planned by Council of Ministers
2. local government with its own revenues,
3. revenues from third persons.
4. other legal donors
5. other resources foreseen in law

CHAPTER VII

SANCTIONS

Article 34

Lack of fulfilling the foreseen obligations in this law

Entities, public and private institutions as well as individuals, which will not ensure the obligation or conditions foreseen in this law are fined of 50.000 -1.500.000 leke.

Individuals who do not fulfil the obligations or conditions set out in this law are fined of 50.000 - 25.000 leke.

Article 35

Rights of complaints

A complain against administrative measures shall be directed to the director of the Civil Emergency Planning and Response Directorate who within 10 days shall Give response with a decision. The decision can be referred to the courts.

CHAPTER VIII

FINAL PROVISIONS

Article 36

The Council of Ministers within 6 months from the enter into force of this legislation realises all subordinate legal acts necessary to fulfil the legislation according to the general principles of article 5, 6. 9. 14. 26 of this law.

Article 37

When this leoislation has entered into force the decree of the President nr. 3824, from 01/12/1964 on Civil Protection in Albania, will seize to be in force and all other provisions, which are in contradiction to this law.

Article 38

This law shall enter into force 15 days after it was issued in the National Journal.

HEAD OF PARLIAMENT

Skënder Gjinushi



REPUBLIC OF ALBANIA
Council of Ministers

DECISION

No 532, dated 1.8. 2003

On

**LIABILITIES AND TASKS OF THE CIVIL EMERGENCY PLANNING AND
RESPONSE DEPARTMENT**

Pursuant to Article 100 of the Constitution, of the point 4 of Article 9 of the Law no. 8756, dated 26. 03. 2001 “On Civil Emergencies”, of letter I/1, of Article 2 of the Law no. 8766, dated 05. 04. 2001 “On Fire Fighting and Rescue”, at the proposal of the Minister of Local Government and Decentralization, the Council of Ministers

DECIDED:

1. The Department of Civil Emergency Planning and Response is responsible for:
 - a) Co-operating with the other institutions for drafting and updating of the national plan on the civil emergency response;
 - b) Drafting plans for completion and updating of reserves of civil emergencies in compliance with the national plan of civil emergencies;
 - c) Management of the civil protection system and co-ordination of state and non-state structures connected with it;
 - d) Preparation, pursuance and implementation of sub-statutory acts on planning and response against the civil emergencies;
 - e) Organization of international bilateral and multilateral co-operation relations on civil emergency issues, fire protection and humanitarian aid;
2. The Department of Civil Emergency Planning and Response has these tasks:
 - a) Implements, together with other institutions, policies of the Council of Ministers in the field of civil emergencies planning for response, fire protection and rescue and helps in creation, use, and distribution of reserve emergency goods, including food, material and monetary goods;
 - b) Co-operates with domestic institutions and public enterprises to assess the emergency situations on basis of which the national plan of civil emergencies is built, and organizes the work for its updating on a periodical basis;
 - c) Follows in continuity the situation of protection from fire and the civil emergency situation all over the territory of the country, in the region and wider, and plans action measures against them;
 - d) Plan funds for studies from the public enterprises for the civil emergency prevention and response;
 - e) Every six months prepares a report for the overall situation of civil emergency planning and response;
 - f) Provides all the necessary data on threatening risks and emergency situations to the Inter-ministerial Committee on Civil Emergencies, and provide possibilities for a material support

- of operations for civil emergency response;
- g) Plans and defines the rules according to which the financial and material sources are used in the cases of civil emergencies;
 - h) Co-ordinates the work of central institutions with units of the local government on the civil emergency responses;
 - i) Co-ordinates the organization and equipment of the active and supportive structures of the civil emergency service;
 - j) Asks for data on the civil emergency response, communicating directly with the standing and temporary structures of civil emergency service in the central government level, in a regional and municipality/commune level;
 - k) Organizes, implements and monitors the data system in a national level on the civil emergency situations;
 - l) Enters into contracts with associations and bodies that offer assistance for realization of the tasks given in the plan on civil emergency response and on creation of reserves;
 - m) Organizes and leads conferences, seminars and workshops for the national, regional and local civil emergency staffs;
 - n) Processes the public education programs and of training of state and non-state structures in the civil defense field;
 - o) Guides the responsible structures on the way of realization of the public opinion awareness and sensitization on civil emergencies and fire fighting;
 - p) Co-ordinates the work for assessment of the caused damages and rehabilitation from natural disasters or other disasters in compliance with the respective legal and by-law acts;
 - q) Controls application of the protective and preventive measures from state and non-state subjects all over the territory of the country for civil emergency responses and fire fighting;
 - r) Controls the way how the material and financial sources given by the state budget, or by other state bodies in the case of civil emergencies for the central and local bodies are used;
 - s) Controls distribution and way the reserve emergency goods are used, making sure that distribution and usage is made in compliance with the National Plan on Civil Emergencies and with the legal and sub-statutory acts in power;
 - t) Organizes inter-ministerial monitoring groups on management of the civil emergency system.
3. Ministry of Local Government and Decentralization, Department of the Public Administration close to the Council of Ministers and the line ministries are charged with pursuance and implementation of this decision.

This decision enters power after publication in the “Official Journal”.

PRIME MINISTER

FATOS NANO

In absence

DEPUTY PRIME MINISTER

ERMELINDA MEKSI

MINISTER OF LOCAL GOVERNMENT AND DECENTRALIZATION

BEN BLUSHI



REPUBLIC OF ALBANIA
Council of Ministers

DECISION

No 533, dated 1.8. 2003

On

**CITIZEN INVOLVEMENT ON CIVIL EMERGENCY PREVENTION AND
RESPONSE**

Pursuant to Article 100 of the Constitution, and Articles 26 and 36 of the Law no. 8756, dated 26. 03. 2001 “On Civil Emergencies”, and Article 12 of the Law 8927, dated 25. 07. 2002 “On the Prefect”, at the proposal of the Minister of Local Government and Decentralization, the Council of Ministers

DECIDED:

- a.** The Regional Prefect, through the civil registration offices in municipalities and communes, ensures data and keeps records on the citizens living in the territory of the region, aged 18 to 55 for the women and 18 to 60 for men.
- b.** The Regional Prefect, through the recruitment and mobilization centers in regions, identifies and ensures data on citizens who, during the military service, are specialized in services of civil protection, search and rescue operations, engineering operations, protection from mass destruction weapons, fire fighting, health services, as well as other necessary specialists needed for the civil emergency responses;
- c.** The regional Prefect, through the district education directorates, identifies and ensures data on the citizens that have concluded the higher education and are specialists of the respective fields, and plans their involvement in the process of planning, prevention and response to civil emergencies;
- d.** In case of civil emergencies, the central head of the operation/head of the operation in the regional level, asks the region’s prefecture the engagement of the capable citizens, according to the needs scale. The Prefect, in co-operation with the mayor/commune head, orders activation of citizens and plans their involvement in the operational structures, functioning for civil emergency prevention and response in the region’s territory.
- e.** The Municipality/commune head, through the civil emergency offices in municipalities and communes, ensures data and keeps records of the citizens in the respective territory, aged 18-55 for the women and 18-60 for men.
- f.** The municipality/commune head, in case of a civil emergency, at the request of the local commission of civil emergencies in the municipality/commune, operation heads in the regional level, operation heads in a municipality/commune level, in co-operation with the Prefect, orders involvement of capable citizens in the territory of the municipality/commune, according to the needs, and plans their inclusion in the local structures, or other operational structures that act for prevention and response of civil emergencies in the territory affected by the disaster.
- g.** When the citizen is involved in a civil emergency planning and response activity for over 8 hours a day, and far from the inhabitation place, according to the case, the Prefect, municipality/commune head, in co-operation with the operational structures and with the

humanitarian associations where the citizen is involved, is treated with food and sheltering.

h. No operation head can force the citizen involved in an operation for civil emergency response and prevention to intervene in situations or places where the life of the citizen is endangered, and when/where a special qualification is needed.

i. In any case, when at the order of the Prefect, of the Municipality/Commune head the citizen is involved in a civil emergency prevention and response activity, an official document that attests his/her commitment in the respective structure is issued to him.

j. The official document that attests participation of the citizen in a civil emergency prevention and response activity obliges the employer, be it a public or private subject, to guarantee the working place and the total salary for him. In case of accidents, the respective institutions complete the necessary documentation for the citizen so as he profits a disability pensions according to the legislation in power.

k. In case of non-implementation of the order of the Prefect, and of the municipality/commune head on involvement of citizens in civil emergency response activities, provisions of the law and by-law acts in power are applied.

l. The region's Prefect, in co-operation with the recruitment/mobilization units in regions, with the heads of armed forces' units in the territory of the Region, with the PMNZHSH station (Fire fighting station) and NPOs, programs and realizes training of citizens for the civil emergency situations.

m. Ministry of Local Government and Decentralization, Ministry of Defense, Prefects of Regions and Municipality/Commune heads are charged with implementation of this decision.

This decision enters power after publication in the "Official Journal".

PRIME MINISTER

FATOS NANO

In absence

DEPUTY PRIME MINISTER

ERMELINDA MEKSI

MINISTER OF LOCAL GOVERNMENT AND DECENTRALIZATION

BEN BLUSHI



REPUBLIC OF ALBANIA
Council of Ministers

DECISION

No 663, dated 18.12. 2002

On

**COMPOSITION, FUNCTIONING AND LIABILITIES OF THE TECHNICAL
EXPERT ADVISORY COMMISSION ON CIVIL EMERGENCIES**

Pursuant to Article 100 of the Constitution, and point 4 of Article 10 of the Law no 8756, dated 26. 03. 2001 “On Civil Emergencies”, at the proposal of the Minister of Local Government and Decentralization, the Council of Ministers

DECIDED:

1. The technical advisory commission should be composed of representatives from the following institutions:

A. From the Council of Ministers 1

B. From Ministries

- Ministry of Defense 2
- Ministry of Health 2
- Ministry of Agriculture and Food 2
- Ministry of Territory Adjustment and Tourism 2
- Ministry of Transports and Telecommunication 2
- Ministry of Education and Science 1
- Ministry of Industry and Energy 1
- Ministry of Environment 1
- Ministry of Culture, Youth and Sports 1
- Ministry of Finance 1
- Ministry of Justice 1
- Ministry of Economy 1
- Ministry of Foreign Affairs 1
- Ministry of Labor and Social Affairs 1
- Ministry of Public Order 1

C. From scientific and monitoring institutions

- Academy of Sciences 1
- State Secretariat of High Dikes 1
- Polytechnic University of Tirana 3

- Institute of Seismology	1
- Institute of Hydro-Meteorology	1
- Institute of Nuclear Physics	1
- Institute of Public Health	1
- Institute of Hygiene and Epidemiology	1
- Institute of Veterinary Researches	1
- Institute of Food Researches	1
- Institute of Forests and Pastures	1
- Institute of Transport Studies	1
- Institute of Studies on Construction Technology	1
- Center of Geographical Studies	1
- Geological Study Center	1
- Albanian Electric Corporation (KESH)	1

Ç. From the Red Cross, Non-profit Organizations and UNO Agencies:

- Albanian Red Cross	1
- Resident Co-coordinator of UNO in Albania	1
- Non-profit Organizations	1

2. Manner of Technical Advisory Commission functioning:

a. The technical advisory commission is convened and headed by the Director of Civil Emergency Planning and Response Directorate in the Ministry of Local Government and Decentralization as frequently as the later judges reasonable, but not less than once in three months.

b. Members of the commission, apart from regular meetings, should be available to take part and to get engaged in special individual and group tasks as demanded by the technical commission.

c. The representatives mentioned in letter A are standing members of the commission, representatives mentioned in letter B, excluding the representative of the Academy of Sciences, are invited depending on the needs, while representatives mentioned in letter C are permanent observers.

d. In regard to the representatives mentioned in letter A, the representation should be in the level of the vice-chairmen of civil emergencies commission, directors of directorates or equal to their position, while for the representatives mentioned in letter B and C they should be heads of institutions, agencies or associations.

e. The Director of Civil Emergency Planning and Response Department is responsible for preparation of materials, announcement on the routine meeting of the commission, submission of the announcement to every member not later than 10 days prior to the meeting date.

f. A technical secretariat, composed of employees of the Ministry of Local Government and Decentralization, operates close to the technical advisory committee.

g. The Director of Civil Emergency Planning and Response Department, for special problems related to the National Plan on Civil Emergencies, proposes to the Minister of Local Government and Decentralization establishment of ad-hoc groups, with clear objectives and time-terms, with Ministry employees or exterior specialists. The Minister, at the proposal of the Department Director, on basis of the law and by-law acts in power, defines the way and amount of remuneration for the commission members and for the secretary for the additional job realized.

3. The Technical Advisory Commission is responsible for:

a. Preparing the strategy, policies and programs in the field of protection of civilians, public health, property, cultural values and surrounding environment, etc. from the civil emergency

influences;

- b. Preparing and developing education programs for the emergency structures and for the wide public in the field of civil protection;
- c. Developing, preventing and updating the disaster material and for assessing possibilities for the civil emergency responses;
- d. Processing plans for the civil emergency responses, prepared by state and non-state institutions and for including them in the National Plan of Civil Emergencies;
- e. Observing and helping in establishment of the National System of Civil Emergencies and in placing this system in total efficiency;
- f. Preparing models and scenarios on civil emergency operational troupes exercises and for the different levels of the central and local government level units;
- g. Offering solutions to the preventive and rehabilitation measures for different kinds of natural or human-caused disasters prior, during or posterior to the civil emergency situations;
- h. Undertaking initiatives and studies for reduction of the damage and alleviation of other negative effects that can derive from civil emergencies;
- i. Preparing and developing the integrated project of communication with the signal 112 in all the civil emergency system;

- 4. Financial effects should be paid by the budget of the Ministry of Local Government and Decentralization.
- 5. Ministry of Local Government and Decentralization is charged with implementation of this decision.

This decision enters power after publication in the “Official Journal”.

PRIME MINISTER

FATOS NANO

**MINISTER OF LOCAL GOVERNMENT AND DECENTRALIZATION
BEN BLUSHI**



REPUBLIC OF ALBANIA
Council of Ministers

DECISION

No 664, dated 18. 02 2002

On

**CRITERIA AND PROCEDURES OF PROCLAMATION OF THE CIVIL
EMERGENCY SITUATION**

Pursuant to Article 100 of the Constitution, and Article 5 and 35 of the Law no 8756, dated 26. 03. 2001 “On Civil Emergencies”, at the proposal of the Minister of Local Government and Decentralization, the Council of Ministers

DECIDED:

1. The civil emergency situation can be announced in a part of the territory of the country, or in the whole territory of the country.
2. The civil emergency situation is proclaimed when the possibilities and resources possessed in normal conditions cannot respond to the consequences deriving from the disaster.
3. For proclamation of the emergency situation, the following data are necessary:
 - a. The territorial extension of the damaged zone;
 - b. Impact of the damages on distortion of the community normal life balance;
 - c. Scientific data from the respective institutions on the concrete case of the disaster;
4. In case of earthquakes, the civil emergency situation can be proclaimed when the natural disaster meets the data mentioned in point 5 of this decision;

The procedures followed for proclamation of the civil emergency situation in cases of earthquakes are:

- a. The seismologic institute, within two hours, submits to the department of civil emergency planning and response the preliminary registered data, and updates the data on a periodical basis, until termination of the seismic strikes.
 - b. Civil Emergency Planning and Response Department presents the respective report to the Minister of Local Government and Decentralization after receiving the data the preliminary assessment of the damages caused from the seismologic institute, commune/municipality and the region.
 - c. After collecting the necessary data, the Council of Ministers, decides on proclamation on the emergency situation in the respective zones.
5. In cases of floods, the civil emergency situation can be proclaimed when:

- The water level reaches critical points in some measured zones;
 - One or more rivers that run through the area have run out of the river beds, causing dangerous situations;
 - Reservoir dikes and lake dams are heavily damaged;
 - The life of the civil population, of the livestock and of the property is seriously damaged.
6. The procedure for proclamation of the civil emergency situation in the case of floods will be the same with the procedure defined in point 6 of this decision. The recorded data will be issued by the hydro-meteorological institute and/or the local government bodies, case by case, and periodically (every four hours from initiation of rain falls).
 7. The Council of Ministers, after collection of the necessary data, proclaims the emergency situation in a specific zone, or in the whole country, where the extension of the emergency surpasses the possibilities of the zone to respond to the situation, and when the assistance of the neighboring regions or central government structures is needed.
 8. The main criteria for proclamation of civil emergency on disasters caused by people, epidemics, industrial accidents and radio-active radiations, etc. are defined case by case according to the effects that will be produced in the stricken zone, and on basis of the existing possibilities for disaster responses in the local government units' level.
 9. The proposal for proclamation of the civil emergency in these cases is undertaken by line ministries, according to the specifics of the occurring phenomena and depending on the competencies and functions covered, in co-operation with the respective institutions and local government bodies affected by the disaster.
 10. All ministries, respective research and scientific institutes, public enterprises that are related with the emergencies and the responsible local government units are charged with implementation of this decision.

This decision enters power after publication in the "Official Journal".

PRIME MINISTER

FATOS NANO

MINISTER OF LOCAL GOVERNMENT AND DECENTRALIZATION
BEN BLUSHI



REPUBLIC OF ALBANIA
Council of Ministers

DECISION

No 655, dated 18. 12. 2002

On

ESTABLISHMENT AND FUNCTIONING OF THE NATIONAL SYSTEM
STRUCTURE ON CIVIL EMERGENCY PLANNING AND RESPONSE

Pursuant to Article 100 of the Constitution, and Article 4 and 5, point 1, 11, points 1, 13 and 35 of the Law no. 8756, dated 26. 03. 2001 “On Civil Emergencies”, at the proposal of the Minister of Local Government and Decentralization, the Council of Ministers

DECIDED:

1. To establish the Civil Emergency Planning and Response Department in the structures of the following ministries:
 - Ministry of Defense
 - Ministry of Public Order
 - Ministry of Health
 - Ministry of Agriculture and Food
 - Ministry of Territory Adjustment and Tourism
 - Ministry of Transports and Telecommunication
 - Ministry of Education and Science
 - Ministry of Industry and Energy
2. Employment of specialists on civil emergency planning and responses in the:
 - Ministry of Environment
 - Ministry of Culture, Youth and Sports
 - Ministry of Finance
 - Ministry of Justice
 - Ministry of Economy
 - Ministry of Foreign Affairs
 - Ministry of Labor and Social Affairs
3. Civil Emergency Planning and Response Commission will function in the ministries mentioned in points 1 and 2 of this decision. The composition, functioning and liabilities are defined by the respective Minister, in compliance with Article 11, point 1 and 2 of the Law 8756, dated 26. 03. 2001 “On Civil Emergencies”. Tasks of this commission are defined in the “Recommendations” Annex, following this decision.

4. The National Operational Center on Civil Emergencies, with a permanent structure in normal times, and with a temporary structure in case of civil emergencies, functions in the structure of the Ministry of Local Government and Decentralization, in the Civil Emergency Planning and Response Department;
 - a. The temporary structure is made up of the permanent structure. Specialists of ministries and of other institutions, representatives of the Albanian Red Cross, and in case of necessity, even international specialists are called/announced, according to the kind of emergency.
 - b. Respective ministries and institutions select and define one to two field specialists that have all the necessary data for the sources of their institution, and the necessary authority to take an active part in decision taking.
5. A Civil Emergency Planning and Response office is established in the composition of the structure of the Prefect administration.
 - a. The Civil Emergency Planning and Response Commission are established in a regional level and functions under the auspicious of the Prefect. The composition, way of functioning and responsibilities of this Commission are defined at an Instruction of the Minister of Local Government and Decentralization;
 - b. The Civil Emergency inspector is appointed as member of the vice-prefect office organics.
6. For the local units:
 - a. The Civil Emergency Planning and Response Office is established in the Municipality of Tirana.
 - b. The structure of this office is given in the attachment 1/a of this decision.
 - c. A specialist is charged with a secondary function to cover the civil emergency problems in the regional chairman administration structure, in the municipality/commune head administration.
7. Recruitment and treatment of the personnel of the civil emergency structures:
 - a. The personnel that will be recruited in the above structures should be chosen from the contingent of the former military personnel, according to the specifics of the respective institutions;
 - b. Criteria for selection of the personnel are defined in an Instruction of the Minister of Local Government and Decentralization;
 - c. Nomination of the civil emergency personnel in the administration of the prefect is made by the Prefect according to the procedures provided by the laws in power;
 - d. The personnel of the civil emergency structures has the same status with the status of the personnel of the institution it belongs to;
 - e. Number of the employees, salary fund and the expenditures of this structure should be covered by the annual budget of respective institutions;

8. Command places for special times, which have been under the administration of the district former councils pass to the administration of the Prefect, while those of the community are administered and maintained by the municipalities and communes;
9. Decision no 292, dated 27. 03. 1995, “On the Transfer of MCR Service to the Ministry of the Interior”, and any other decision or structure that runs contrary to this decision is abrogated.
10. Ministry of Local Government and Decentralization is charged with implementation of this decision.

This decision enters power after publication in the “Official Journal”.

PRIME MINISTER

FATOS NANO

**MINISTER OF LOCAL GOVERNMENT AND DECENTRALIZATION
BEN BLUSHI**

Attachment 1/a

For the local government administration:

A. The Civil Emergency Office is established in the Municipality of Tirana. It has this structure:

1. Head of the Office 1 (one) employee

In municipalities and communes

I. One employee within the limit of the municipality/commune administration personnel is charged with a second task related to following the problems dealing with the civil emergencies.

Recommendations:

A. For the Ministries:

Based on Art. 11, point 1 and 2 of the Law 8756, dated 23. 03. 2001 “On Civil Emergencies”, it is the responsibility of every minister to establish and define tasks and way of functioning of the commissions of civil emergency planning and response in the context of the ministry he heads, but some recommendations are listed below.

The commission is directed by the Minister or his deputy and can be composed of permanent or substitutable members. It can convene as frequently as the head judges the action as reasonable.

Members of this commission are directors of directorates, specialists of respective fields as well as directors or chief engineers of dependant enterprises of the ministry.

This commission has these main tasks:

- To prepare the strategy, projects, programs for prevention, planning and response against civil emergencies;
- To approve the plan on civil emergency response according to the line of the Ministry as part of the national plan of civil emergency response;
- To follow realization of tasks regarding preventive measures;
- To prepare the draft-budget for the civil emergencies;
- To co-ordinate the work between the directorate of the ministry, regional directorates, depending enterprises, which are related with the civil

emergencies.

Some of the tasks of the sector/specialist of civil emergency planning and response department:

The emergency sector/or the specialist (the co-coordinator) serves as a secretariat for preparation and collection and of all the necessary administrative data for the normal functioning of the commission. Also, this sector will receive and process data regarding the resources of the Ministry, the technical and material base possessed by the Ministry, etc.

The sector will be the contact point of the ministry with the General Directorate of Civil Emergencies in the Ministry of Local Government and Decentralization. The Civil Emergency Planning sector in the ministry will prepare programs and scenarios of emergency situations for training the ministry's emergency staffs, operational forces of the dependent enterprises and the private business, which nature of activity is related to the nature of the Ministry.

Apart from the above tasks, this sector is entitled to accomplish the following other tasks:

- To define the rules according to which material and financial sources will be used in case of civil emergencies;
- To co-ordinate organization and equipment of the intervention forces in the case of civil emergencies;
- To organize, implement and monitor the data system for civil emergency situations in the level of ministries;
- To cooperate with the General Directorate of Civil Emergencies for assessment of damages caused by civil emergencies or other calamities and rehabilitation from the disaster, in compliance with the respective sub-statutory act.
- To control implementation of the protective and preventive measures in the civil emergency cases;
- To draft instructions for the institutions, enterprises, regional directorates, dependent enterprises for the civil emergency field;

B. For the Region, Municipality and Commune

In implementation of the Law 8756, dated 26. 03. 2001, Article 15, 16, and 17, composition, rules and way of functioning of the regional and of the local commission is defined at an Instruction of the Minister of the Local Government and Decentralization.

Personnel Recruitment

Specialists of this sector will be former military people that will undergo a

professional test, prepared by the general directorate of Civil Emergencies in the Ministry of Local Government and Decentralization.

For ministries as the Ministry of Health, the candidates will have a basic education, according to the field of the respective ministry.

These employees enjoy similar status as the respective institutions.

Ministry of Defense and the Minister of Order are exempted from the above paragraphs, because they have a special status and can complete the sector organics with their effectives.