



**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 stag 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**