

ACCESSION OF ALBANIA

Communication from Albania

The following information on Technical Barriers to Trade has been received from the Ministry of Industry, Transport and Trade of the Republic of Albania.

Introduction

Albania is in the process of developing a new legal framework and new institutions dealing with technical barriers to trade. Reflecting Albania's program to integrate the domestic economy in the international economy, the new legal framework and institutions have the objective of reforming the old system, in which Albania maintained a complex set of standards and technical requirements which applied only in Albania, to a new system in which Albania looks to international standards as the basis for Albanian requirements.

A draft "Law on Standardization and Related Activities", which is described in more detail below, provides for the development and application of "technical rules" and "standards". Technical rules will be mandatory. They will be issued by ministries and other central public institutions "which establish the fundamental requirements for life security, health and environmental protection or other fundamental requirements provided by law in respect of products, processes and services".

Standards are to serve as a reference for the drafting of technical rules. Standards will be voluntary except when they have been declared obligatory through law. International standards shall be adopted as Albania standards "provided they serve the interests of the country towards the lifting of technical barriers in trade and introduction of state of the art technology".

It is foreseen that technical rules and standards will apply to both Albanian and foreign products on a non-discriminatory basis.

Information about standards is made publicly available by the Department of Standards and Certification. Information about technical rules is available from the respective ministries, and through a central Enquiry Point in the Ministry of Industry, Transport and Trade.

A copy in English of the draft Law on Standardization and Related Activities will be provided to the Working Party.

- 1. Description of relevant laws, regulations, administrative orders, etc., relating to the implementation and administration of technical barriers to trade. All necessary references should be provided.**

- A. Current legislation and government bodies in the Republic of Albania responsible for Standardization and assessment of conformity with technical regulations.**

According to the Law No. 7630, dated 28 October 1992, the Department of Standards and Certification (DSC) deals with standardization, accreditation, certification and related activities. Albanian standards, referred to as "STASH standards" are prepared by all interested parties and approved by the Standardization Council attached to the DSC. Currently, standards exist for a set of about 4 500 products.

A draft law is being prepared by the DSC. It is waiting to be passed by the parliament.

This draft law will define the procedures for drafting and approval of Albanian standards; for accreditation of test laboratories, inspection and certification bodies; for certification of products, processes, services and quality systems, etc.

Articles four and five of the draft law deal with the right of natural and legal persons regarding cooperation on drafting; on reexamining and adopting standards, as well as publications procedures.

According to the draft law the DSC will be a non-profit public institution independent from ministries and other public agencies. It will organize and direct the national system of standardization, accreditation and certification; approve and adopt standards, etc. The provisions on infringements are also included in the law.

B. Cooperation with foreign institutions

The Republic of Albania is a member of, or cooperates and follows the relevant rules of, the following international and European organizations:

1. ISO full membership;
2. CEN associate member;
3. UNI bilateral agreement;
4. TSE bilateral agreement;
5. DIN bilateral agreement;
6. BDS bilateral agreement;
7. IRS bilateral agreement;
8. ELOT bilateral agreement.

C. Publications of DSC

The Department of Standardization and Certification issues regular publications in the Albanian language which informs all interested entities of the current regulations, procedures and other relevant information for the purpose of public knowledge. The publications include the lists of international standards adopted as Albanian standards, regional standards adopted as Albanian standards, and Albanian standards. It publishes all the amendments to the existing mandatory and non-mandatory standards.

The information unit within the Department is responsible for making available to all interested parties information on standardization.

2. Information regarding:

(a) names of publications, if any, on work relating to draft technical regulations or standards and procedures;

(b) the name and address of the enquiry point(s) foreseen in Articles 10.1 and 10.3 of the WTO Agreement on Technical Barriers to Trade (The Agreement) with an indication as to whether it is/they are fully operations.

The Enquiry Point foreseen in Articles 10.1 and 10.3 of the WTO Agreement will be as follows:

Ministry of Industry, Transport and Trade
Department of Trade Policies
Mr. Ilir Kodra
Director
Telephone: + 355 42 646 68.

(c) The name and address of the agency dealing with consultations as foreseen in Article 14 of the Agreement.

The name and the address of the agency dealing with consultations as foreseen in Article 14 of the Agreement is as follows:

Department of Standardization and Quality
Mr. Arben Nati
Director
Telephone: + 355 42 262 55

(d) The name and address of the agencies that are dealing with other specific functions foreseen in the Agreement.

There are no other institutions dealing with the notification procedures, except the Department of Standardization and Quality.

(e) The scope of responsibility of the central government authorities in the area of notification requirements foreseen in Article 10.11 of the Agreement and of individual government authorities, if the responsibility is divided among two or more such authorities.

(f) Measures and arrangements to ensure that national and sub-national authorities preparing new technical regulations or substantial amendments to existing ones provide early information on their proposals;

The law will be accompanied by regulations, dealing mainly with the implementation of the law. Measures and arrangements to ensure that national and sub-national authorities will provide early information on their proposals are under consideration.