

2017 ANNUAL PROGRESS REPORT

ALBANIA



Extractive Industries Transparency Initiative Secretariat

JUNE 2018

PREAMBLE



Extractive Industries Transparency Initiative (EITI) is an international volunteer coalition of governments, companies operating in extractive industries and civil society organizations engaged in the use and management of natural resources. Currently, a total of 51 countries are implementing EITI, which seeks to improve governance on the use of Natural Resources (in Oil, Gas, Mining and Hydropower Sectors), to promote Transparency in order to prevent corruption and to provide citizens with an updated database which will give them the chance to demand fair distribution of revenue.

Albania is one of the 51 member countries of the Extractive Industries Transparency Initiative. Albania became an EITI candidate in May 2009 and an EITI compliant in 2013. Since its admission, Albania has managed to publish annual reports covering the fiscal years from 2009 to 2016 and will soon publish the 2017 EITI report.

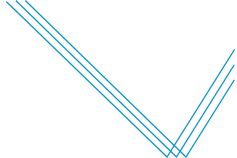
The Annual Progress Report provides a detailed overview of the activities of the National EITI Secretariat for 2017.

This year marked an important progress in Secretariat's work, since in April 1, 2017, the National Secretariat underwent Validation carried out by the EITI International Secretariat.

Out of a total of 28 chapters reviewed by the Validator, Albania achieved satisfactory progress in 14 of them, meaningful progress in 13 chapters and inadequate or no progress in only one chapter. At the end of the Validation Process, the International EITI Board assessed Albania as having achieved meaningful progress in implementing the EITI Standard.

The progress made by EITI Albania is very encouraging, and at the same time it entails greater responsibility on Stakeholders to maintain and further improve this standard.

The reconfiguration of Ministries in the Rama II Cabinet in September 2017, brought changes of leaders, Mr. Ardit Kamberi was appointed as the new Head of the EITI Albania, and Mr. Enis Aliko,



Deputy Minister of the Ministry of Infrastructure and Energy, was appointed as the new Head of the Albanian MSG.

The main priorities of the Albanian EITI Secretariat are as follows:

Collaboration between EITI stakeholders and MSG

The National EITI Secretariat, the institution responsible for the interactive management of the EITI process in Albania, aims to ensure a comprehensive, constructive and transparent process. The Multi Stakeholder Group (MSG) is the decision-making body in charge of overseeing the implementation of EITI.

Albanian MSG is chaired by the Deputy Minister of Ministry of Infrastructure and Energy and consists of government representatives (MIE, AKBN, Ministry of Finance and Economy, Albanian Geological Survey, General Directorate of Taxation, Ministry of Justice (and other important bodies that constantly contribute to EITI implementation), Companies operating in Extractive Industries and Civil Society.

The MSG, which approves the EITI Work Plan, has provided total support to the work of EITI Albania and has ensured that EITI contributes to public debate.

The EITI Annual Report

The EITI Annual Report is prepared by the Independent Administrator and the 2016 EITI Annual Report was published in mid-February 2018, aiming at promoting Transparency and good Governance of the country's Natural Resources.

The EITI Annual Report is published in open and easy accessible format providing reliable and high quality data.

Approval of the Law on Transparency

Currently, the EITI Secretariat is working on the approval of the Draft Law "On transparency in extractive industries and use of natural resources in the Republic of Albania".

This law seeks, through the implementation of EITI international standards, to promote and ensure the enhancement of transparency in extractive industries in particular and the use of Natural Resources in general.

Beneficial Ownership disclosure (BO)

Although Albania has already in place the Law no. 9917, adopted in May 19, 2008, "On the prevention of money laundering and terrorism financing", which calls for the application of these terms to companies operating in the Extractive Industries, the Albanian EITI Secretariat published in January 2017, pursuant to the 2016 EITI Standard, a report on the national legislative and regulatory framework (Legal and Regulatory Review of the Albanian national legislative framework Report) and prepared the EITI law, which contains provisions for BO. The government is currently working to approve this Law.

Also, in January 1, 2017, like all EITI implementing countries, Albania published the BO Roadmap that indicates the steps planned to be undertaken to achieve a real transparency of Beneficial Ownership by 2020. This includes building an institutional and legal framework, putting in place the reporting processes and registers that contain BO data. It also includes capacity building for government officials that implement reporting requirements. And it also shows how easily companies can disclose the real owners and help civil society to use ownership information.

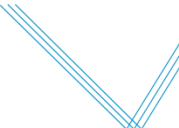
Relations with LGUs on Royalties income and Social and Environmental Impact

During 2017, the National Secretariat organized meetings with representatives of local government units, and discussed the financial gains that municipalities had received or not from mining royalty and the necessity for these revenues to be used for public investment. Also the participants in these meetings discussed about the Social and Environmental Impact of Extractive Industries in these areas.



General assessment on annual performance

(Chronology of EITI National Secretariat main activities in 2017)

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- Due to the importance it has for the EITI implementation in Albania, the National EITI Secretariat organized in January 31, 2017 a meeting with MSG members on the drafting of the Law "On transparency in extractive industries and use of natural resources in the Republic of Albania". At this meeting, the contracted company Eurosupport-Fineurop Support S.r.l presented a comparative analysis on Albanian Legal and Regulatory Framework and its compliance with the EITI Standards. Within this scope, the Draft Law on Transparency was prepared by the contractor. The purpose of this law is to promote and ensure Transparency in extractive industries and the use of natural resources in general through the implementation of international EITI standards. Also, at this meeting, the Independent Administrator (IA), Deloitte Audit Albania presented the draft EITI Report for 2015 and discussed regarding payments that were reconciled so far.
 - The 2015 EITI Annual Report was published in February 1, 2017. Also, the Secretariat worked intensively throughout 2017 on the finalization of the EITI Report 2016.
 - In February 27, the Civil Society Support Agency in cooperation with the National EITI Secretariat organized a round table on "Transparency and accountability in the extractive industry in Albania". The meeting between the Secretariat and Civil Society, which was the first of its kind in the country, aimed at establishing cooperation between Civil Society Organizations and the Secretariat, and at enhancing the dialogue between the two important stakeholders with considerable influence in the promotion of transparency in extractive industry. The ongoing cooperation between EITI Albania and CSOs is considered crucial to the fulfillment of the EITI mission itself and continues to remain one of the main objectives of the Albanian Secretariat.

The organizations present at the meeting discussed on the ways available to promote active engagement of civil society in the conception, implementation, monitoring and assessment of transparency enhancement in the extractive industry. An important part of the discussion focused

on the legal or regulatory factors that prevent or hinder the free and active participation of civil society in the implementation of the EITI standard.

- In March 2017, the EITI Albania launched an information campaign to promote the 2015 EITI Report in extractive areas such as Patos, Fier, Bulqiza and Pogradec. The Secretariat Working Group held local meetings with local government representatives regarding the financial gains that municipalities had received or not from mining royalty and the necessity for these revenues to be used for public investment.
- Similar meetings with a focus on the role that EITI plays in community development were organized with high school students living in these areas. They also discussed the role that young people should play in the community with regards to this initiative.
- In March 21, 2017, in the context of expanding cooperation among extractive companies in the country, the MSG and the EITI Secretariat it was organized another important activity regarding transparency in the extractive industry. The National Secretariat in cooperation with Antea Cement organized a MSG meeting and a joint visit to the Antea Cement premises in Borizanë, Kruja where they visited the working site, the cement carriers where they observed mining operations and environment rehabilitation. In the meeting, Antea Cement supervisors presented achievements made over years and introduced the Integrated Report of Social Responsibility and Sustainable Development that is published annually for all stakeholders in the framework of transparency policies.
- In March 31, 2017, in the context of expanding the cooperation among the operating companies in the country, the EITI Albanian Secretariat organized a round table with representatives of the Extractive Industry in Albania. Representatives from the main companies operating in the extractive industry in Albania discussed various issues in the field and about the measures to be taken in order to create a suitable environment for their activity, such as improving the legal framework, fiscal policies and by increasing cooperation between companies and state institutions.

The meeting focused especially on the level of transparency in the extractive industry and cooperation between state institutions and companies operating in these areas as two main key points for the development of this sector. The participants in the meeting also discussed on the importance and functioning of EITI Albania by focusing on the disclosure of financial payments and data in the extractive sector.

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- On April 22, 2017, in Tirana, was organized a Workshop "On the Membership Process of Kosovo in EITI" by the Ministry of Economic Development of the Republic of Kosovo and Kosovo Civil Society KFOS. With the invitation of the organizers at this meeting participated the coordinators of the EITI Albania Secretariat, whom discussed regarding the "Albanian Experience and Challenges to the EITI" related to the Albanian experience of EITI membership and meeting the requirements of the EITI Standard. At the end of the meeting, the need for further cooperation between the Kosovo government structures and the Albanian Secretariat EITI was assessed, with the intent to promote Kosovo to integrate into the international EITI processes.
 - The EITI National Secretariat from 05 to 09 June 2017 hosted the Validation Mission by the EITI International Secretariat based in Oslo. The Validation Process for Albania started on 1 April 2017 and was finalized on February 13, 2018.

Out of a total of 28 chapters reviewed by the Validator, Albania achieved satisfactory progress in 14 of them, meaningful progress in 13 chapters and inadequate or no progress in only one chapter. At the end of the Validation Process, the International EITI Board assessed Albania as having achieved Meaningful Progress overall in implementing the EITI Standard.

- On 23-24 October 2017, the Government of Indonesia and the EITI International Secretariat organized the International Conference on Beneficial Ownership in Jakarta, Indonesia, in a global effort to fight tax evasion and corruption. Representatives from 52 countries participated in this conference to engage and discuss the necessary steps to be taken in the transparency of the Beneficial Owners of companies in the oil, gas and mining industries. At this conference Albania participated with its delegation, with representatives from the National Secretariat EITI Albania and the Ministry of Infrastructure and Energy. In addition to participating in plenary sessions, representatives of the Albanian delegation held multilateral meetings, discussing Albania's experience and its performance in implementing the EITI Standard.

Several workshops were held during the conference, focusing on specific topics such as: How to designate politically exposed persons and asset declarations; Both government and civil society work together to promote transparency for Real Beneficiaries; How to Build a Register of Beneficial Owners; How to Use and Analyze Real Beneficiaries Data; How to create a legal and regulatory framework for the transparency of the Beneficial Ownership, in which there were participants from the Albanian delegation.

As part of the engagement in this Global Initiative and in view of the publication within 2020 of the Beneficial Owners, Albania in January 2017 has published the Roadmap to the steps that will be followed and is approving the Draft Law on Transparency that includes Provisions for the Beneficial Ownership.

- In November 2017, the Director of the Albanian National Secretariat of the Global Extractive Industries Transparency Initiative (AlbEITI) Mr. Ardit Kamberi held a Meeting with the Media and journalists from News 24, Ora News, Monitor and Panorama.

Responding to journalists' questions, he stressed the importance of the mission of the National Secretariat EITI Albania, which promotes Transparency in the process for good governance of the country natural resource, in compliance with the EITI International Standard. It also highlighted the priorities of the National Secretariat EITI Albania, focusing on promoting Transparency to prevent Corruption, Providing citizens with an updated official database to demand the fair use of national revenues, with the aim and contribution to Economic Growth, Sustainable Development and Positive Social and Environmental Impact.

- A new element in the activity of the National Secretariat EITI this year is the participation of Albania in a Pilot Project, organized by the International Secretariat on Transparency in Commodity Trading, carried out by state owned companies (SOEs), in our case Albpetrol Sh.a. The project is funded by the EITI International Secretariat in Oslo, which has contracted Deloitte Audit Albania for the project.
- On 6 December 2017, the National Secretariat EITI organized a meeting at the premises of the Ministry of Infrastructure and Energy, regarding the procedures for the final preparation of the EITI Report 2016.

The meeting was attended by the Deputy Minister and at the same time the Chairman of MSG; the EITI Albania National Secretariat EITI, as well as representatives of the Directorates of the line at MIE, representatives of subordinated institutions, the National Agency of Natural Resources (AKBN), the Albanian Geological Survey (SHGJSH), and representatives of the Independent Administrator, Deloitte Audit Albania, contracted by the EITI Secretariat for the preparation of the EITI Report 2016. This meeting focused on the discussion of the requirements of the Independent Administrator Deloitte Audit Albania, regarding the issues encountered in the EITI data collection, officially reported by the respective Directorates of MIE, as well as AKBN, SHGJSH etc.

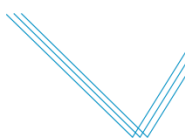
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- On 20-21 December 2017, the EITI Albania Secretariat, in cooperation with the Ministry of Infrastructure and Energy, organized the International Conference on "Utilizing Potentials and Advantages of Albania as a Member of the EITI International" / "Taxes and the Legal Framework of the Extractive Industries -the case of Albania and the best international practices ". This International Conference was attended by the Deputy Minister of Infrastructure and Energy Mr. Enis Aliko, World Bank Director in Tirana, Mrs. Maryam Salim, Mr. Ervin Mete Director of the Cabinet of the Ministry of Finance and Economy, as well as representatives of OSCE, UNDP, US Embassy and Swiss Embassy in Tirana. Also the event was attended by many representatives of International Partners, Financial Institutions, International Experts in the Fiscal and Legal Area, Representatives of Central Institutions, Representatives from MFE, General Directorate of Customs and Taxes, Albanian Geological Survey, National Agency of Natural Resources, Albpetrol, Albgaz, TAP, Shell Albania, representatives of Companies operating in Extractive Industries, as well as representatives of Civil Society and members of the MSG.

During the Conference was broadcasted a video message by the Head of the International Secretariat EITI, Mr. Jonas Moberg. In his speech he emphasized that we should continue with fuller reporting of the TAP project progress, improvement of monitoring and planning in the communities where natural resources are extracted, as well as transparency, starting with the identification of Real Owners of companies operating in the extractive industry. Mr. Moberg, regarding the Validation Process, assessed the progress Albania has made.

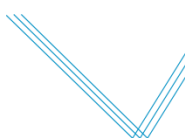
In her speech, the World Bank Country Director in Albania, Mrs. Maryam Salim appreciated the level of cooperation and engagement of Albania in the EITI process.

Also in the event discussed representatives of the Extractive Industries, such as Shell Albania, Antea Cement; Leaders of the American Chamber of Commerce, Representatives of the Foreign Investors Association (FIAA), Representatives of Civil Society; Representatives of the Academic and Scientific World, Directors of MIEs, Head of AKBN, Albanian Geological Survey, Albpetrol, Albgaz; International Experts, Representatives of Deloitte Audit Albania, etc.

- On December 20, the Event of the International Conference was accompanied by a Photographic Exhibition, which highlighted many aspects and views of the activity in Mining, Hydrocarbon and Electro-Energy sectors in Albania. The purpose of this exhibition was to bring to the attention of the public and interest groups, the exploitation of the Extractive Industry potentials, and its effect on the social and economic life of the country.

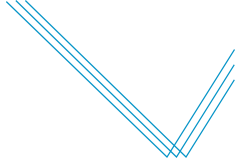


Assessment of performance against targets and activities specified set out in the 2017 ALBEITI work plan



This section provides an analysis of the activities that were undertaken during the year under review. The analysis divided the activities between those that were implemented and those that were not implemented and the accompanying comments.

Activity Implemented	Activity Not Implemented	Comments
Compliance of EITI standards with Albanian legislation		Completed
	Approval of the new law on Transparency + complementary by laws and instructions proposed at the end of consulting process	Initiated Approval process with MIE, in process discussing it with the relevant stakeholders
EITI Albania International Conference on "Taxation and Legal Framework of Extractive Industries, - Albania case and international best practices".		Completed
Round table with extractive industry operators		Completed
Round table with the civil society organization		Completed
Hire an individual media consultant who will act as an EITI brand Ambassador in the Albanian process and in the implementation of the		Completed
Communication plan for 2017.		Completed
Ref: EITI Albania objective 1.1, 1.3; Define of the mechanisms for the use of rent income by the local government.		Completed
Ref EITI Standard, EITI Albania Objective 4.3, 4.4; Training programs for the EITI Albania staff and MSG members		Completed
	Ref EITI Standard, EITI Albania Objective 1.3; NEW: Study on	Not started due to funds delay



	the impact of extractive industries contribute to economic growth and employment in Albania	
	NEW: Study on the Impact of the EI in Environment. Calculate the Impact of the Extractive Industries in the environment	<i>Not started due to funds delay</i>
Study on "Developing a new global reporting standard & scoring system on local content"		<i>Completed</i>
Beneficial Ownership Disclosures activity portfolio		<i>Ongoing</i>

This section provides an analysis of the objectives set out for 2017 as part of the workplan or the priorities of EITI Implementation in Albania.

OBJECTIVE 2016 EITI Report

- In view of the requirements of the Independent Administrator Deloitte Audit Albania, regarding the issues encountered in the EITI data collection, officially reported by Businesses and several government institutions, the MSG decided to postpone the publication of the EITI 2016 Report in February 2018.

OBJECTIVE VALIDATION

- The National EITI Secretariat in the period 05-09 June 2017 received the Validation Mission from the EITI International Secretariat centered in Oslo, Norway. Validation is an essential element of the EITI process and serves as an external and independent evaluation mechanism.

Validation in Albania started on 1 April 2017.

Initially, the process started with the data collection stage, which continued until the end of May 2017.

The Validation Mission consisted of Mr. Alex Gordy, Director of Validation and Mrs. Oliana Valigura, Leader for Eurasian Countries. The mission met with members of the MSG (government, companies, and civil society) as well as with key stakeholders not directly participating in the MSG.

The EITI National Secretariat invited all stakeholders to become part of this very important process for the work of the Secretariat itself.

On June 5, 2017, the MSG and the representatives of the Validation Mission held their first meeting in the framework of the Validation Process for Albania. This meeting preceded the meetings that

took place with each of the stakeholders (government, extractive companies and civil society) until June 9, 2017.

The Validation Mission after the meetings has worked and has sent at the end of September the Draft Initial Validation Report and the Draft Validation Report by the Independent Validator. Both reports were distributed to MSG for comments.

Also, in this Report it is set a list of strategic recommendations that can help Albania to use even more EITI as an instrument to support reforms.

From the Final Validation Report which arrived to the Secretariat on 15 November 2017, Albania has made Meaningful Progress in meeting the EITI requirements.

The Validation Committee has reviewed the Validation Final Report and supporting documentation (including comments from MSG, Independent Administrator and National Secretariat EITI Albania). The Validation Committee has recommended to the EITI Board for Albania's compliance with EITI requirements.

The EITI Board determined that the requirements have been met and agreed on the overall compliance of the country in accordance with requirement 8.3.a.ii of the EITI Standard.

The EITI Board on 13 February 2018 decided that Albania has made Meaningful Progress in the implementation of EITI. The EITI Board made some Recommendations which should be implemented by 13. 02. 2019.

OBJECTIVE **Legal and regulatory review**

Currently EITI Albania is adopting the draft Law "On the transparency of the activities of the extractive industries and the use of natural resources in the Republic of Albania". The purpose of this law is to promote and ensure the enhancement of transparency in the extractive industries activities and the use of natural resources in general through the implementation of EITI's international standards, to improve the legal framework for EITI's report by harmonizing it with the EITI Standard.

Also, this Draft Law includes legal provisions for the declaration of Beneficial Ownership.



OBJECTIVE **EITI capacity building**

A very important topic for 2017 has been the training of Human Resources by considering it as a very important asset in the EITI process.

In this context, was held the training at Columbia University, New York, USA on 03-18 June 2017 and 31.07. 2017-10-08, 2018, and at the University of Huston, GEDS, Texas, USA, date 06-28 05 2018, from representatives of the EITI National Secretariat, Ministry of Infrastructure and Energy, Albgaz and members of MSG , who expressed their interest in being part of these trainings.

OBJECTIVE **Communication activities**

- In January 2017, the EITI National Secretariat entered into contractual relations with Source One, IQ Consulting, and Mr. Enio Civici as the Ambassador of EITI.
- Source One company and EITI National Secretariat, signed a contract for the "Public awareness campaign referring to the Communication Strategy (Campaign in Visual and Written Media, Internet and Social Media), which includes the organization of 2 Press Conferences for EITI 2015 and 2016 Reports; printing of the EITI 2015 Report and the EITI 2016 Report; printing of the Summary of the EITI 2015 and 2016 Reports; testing the impact of the old EITI Albania TV spot in Tirana and districts; production of television spots, 7 and 45 seconds; campaign on television (national and local); campaigning in electronic media; press campaign at Monitor magazine; Sustained communication sponsored in social media; preparation of information bulletin, electronic newsletter; the preparatory work for the EITI photographic exhibition and the opening of the exhibition.
- Almost all of the communications activities have been realized, except the printing of the EITI 2016 report and printing of the Summary of EITI 2016 Report. EITI National Secretariat EITI has amended the contract to realise these activities during 2018.
- IQ Consulting and EITI National Secretariat signed a contract for the organization of a round table with extractive industry operators; organizing a roundtable with CSOs and organizing an EITI International Conference. All three of these activities are implemented within the deadlines set in the contract.
- Mr. Enio Civici and the EITI National Secretariat signed a contract to represent EITI Albania as it's Ambassador, to moderate the Roundtable with Civil Society Organizations; to moderate the round table with extractive industry operators; to moderate the Press Conference for the EITI 2016 Report;

to enable the continuity of communication in social media, facebook; for the preparation of 6 television chronicles; preparation of 7 headlines articles in print and online media.

The activities were carried out in accordance with the contract. The Ambassador moderated the Press Conference for the EITI 2016 Report and prepared two chronicles and three editorials related to the completion and publication of the EITI 2016 Report to be published in February 2018.

Next implementation steps for EITI Albania

PRODUCTION OF THE EITI 2017 REPORT

The Center of our activities in accordance with EITI standard will be Production and Publication of the EITI Report in Year + 1 format.

IMPROVING EACH CONSECUTIVE REPORT

Improving each consecutive EITI Report is our main objective.

APPROVAL OF THE DRAFT LAW "On the transparency of the activities of the extractive industries and the exploitation of natural resources in the Republic of Albania".

Currently the Secretariat is in the phase of adopting the Draft Law "On the transparency of the activities of the extractive industries and the exploitation of natural resources in the Republic of Albania". The purpose of this law is to promote and ensure the enhancement of transparency and the improvement of the quality of information in the extractive industries and in particular the exploitation of natural resources in general, through the implementation of the international standards for reporting on the Extractive Industries Transparency Initiative. The purpose of this law is to determine the basic rules for the government institutions and / or agencies, as well as for state-controlled private or public legal entities operating in the extractive industries and natural resource sectors in relation to their obligation to periodically reported data according to the requirements and deadlines provided for in this law. This law defines the administrative measures that apply in case of non-fulfillment of the obligation. This Law will also include Provisions on the Declaration of the Beneficial Ownership (B.O.).

DECLARATION OF BENEFICIAL OWNERSHIP

The main focus is the establishment of mechanisms for the Declaration of Beneficial Ownership in accordance with EITI Standard by January 1, 2020. Follow up of the steps outlined in the B.O Implementation Roadmap. Legal and Regulatory Review regarding the revealing of Beneficial Owners in the Country at the Internal Level as well as the drafting of the Beneficial Owners Registry.

COMMODITY TRADING

Fulfillment of EITI Standard requirements related to the Transparency in Commodity Trading (Transactions of State-owned Companies - Albpetrol sha), focusing on the Albpetrol reconciliation process of reporting and publication of oil sales contracts from Albpetrol, details of prices and payments for the typology of petroleum products, etc.



MONITORING THE USE OF FUNDS DESTINED FOR THE LOCAL COMMUNITIES

In the focus of the EITI Albania Secretariat's activity will be monitoring the use of funds destined for the local community, with the aim of maximizing the positive social effects in these communities.

STUDY IN ASSESSING THE IMPACT OF EXTRACTIVES IN THE COMMUNITIES

The Impact of Extractive Industries in the Social and Environmental Aspects of Communities will be the engagement of the EITI Secretariat, where as part of the work plan, two studies have been drafted for assessing this impact in the communities where the extractive industry operates.

AWARENESS RAISING ACTIVITIES FOR COMPANIES AND THE COMMUNITY.

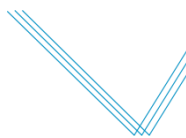
The EITI Albania MSG and the National Secretariat will continue to be engaged in Awareness Raising Activities for the companies and the community.

Assessment of performance in compliance with the EITI requirements

Albania has been making steady progress in the implementation of EITI since joining EITI in 2009 and becoming compliant in 2013. In 2017, Albania underwent the second Validation and the EITI Board concluded that Albania made meaningful progress in accordance with the EITI Standard and requirements. The revenue from the mining sector and the reporting companies has risen, while the discrepancy between payment and revenue has been declining.

To date Albania has produced 8 fiscal years EITI reports.

The requirement by performance assessment of implementation of EITI by Albania is given below:



Requirements	Progress
EITI REQUIREMENT 1 Oversight by the multi-stakeholder group	<i>The MSG in Albania has been actively involved in the implementation of EITI. Albania has continued to produce EITI reports according to the deadlines. The MSG members are engaged in the implementation of EITI, according to the sector they cover.</i> <i>State Institutions, constituent part of the MSG,</i>

have shown high engagement by making available to the EITI Initiative their structures and human resources for the EITI Reporting.

For subjective reasons by excluding only a small number of delays, Companies have shown commitment to the reporting proces and the extractive companies, has continued to play their role disclosing their payments and the Government disclosing its revenues received from extractives companies. Also, the government has continued to fund EITI implementation under the national budget.

Finding a comprehensive language and building a constructive cooperation makes the works of MSG Albania productive. However, it should be noted the vacuum that happen in the MSG structure by not replacing some seats from CSO members that willingly resigned.

MSG members from Civil Society have shown commitment to the EITI Initiative by being vocal at the meetings for different issues. What is seen as concern is the lack and not the fulfillment of the three vacant seats of this group on the EITI MSG.

The EITI Albania, despite having faced a lack of funding, due to objective reasons the WB funding delayed, has not stopped the work to successfully complete the objectives of EITI National Secretariat and trying to fulfill the activities agreed in the work plan.

EITI REQUIREMENT 2

Legal and institutional framework, including allocation of contracts and Licenses

Currently EITI Albania is adopting the draft Law "On the transparency of the activities of the extractive industries and the use of natural resources in the Republic of Albania". The purpose of this law is to promote and ensure the enhancement of transparency in the



extractive industries activities and the use of natural resources in general through the implementation of EITI's international standards, to improve the legal framework for EITI's report by harmonizing it with the EITI Standard.

Also, this Draft Law includes legal provisions for the declaration of Beneficial Ownership.

License allocations.

Albania has made public the free oil zones and companies interested enter into negotiations with the Albanian government.

Mining licenses are provided by the Ministry of Infrastructure and Energy through public competition for competitive mining areas and through special negotiations. Competitive and open mining areas are defined in the annual plan.

The Public Procurement Agency (PPA) oversees the public procurement activity, including issuing permits and mineral concessions and makes them publicly available on their website.

Contracts

According to EITI 2016 Report and in accordance with requirement 2.4.b, Albania has made progress in disclosing new oil contracts and all hydropower concession terms.

The EITI draft law proposes the publication of contracts. All concession contracts are signed by the Minister of Infrastructure and Energy in the capacity of the contracting authority by the Council of Ministers. After signing the contract, the operator draws up a detailed implementation plan. Before te approval, this plan is again subject to state

technical objections.

Almost Oil and gas agreements were allocated through ad hoc negotiations procedures up August 2013. Information on recipient licensees and joint operations were publically disclosed in MEI's website. Mining licensees and concessions to grant mining licensees in 2016.

Construction of power plants is subject to 10 to 20 permits from various regulatory bodies, including: environmental permit (annual), building permits (prior to construction), permission to use water resources (annual), power production license (before the start of production), permission to connect to the power transmission network etc.

Register of licenses

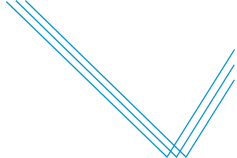
The register of licences is publicly available in ALBEITI website: www.albeiti.org

This register is updated every 6 months.

Also the Ministry of Infrastructure and Energy has published an public register of mining licences: <http://www.infrastruktura.gov.al/lejet-minerare-ekzistuese>

Beneficial ownership

In the Albanian legislation, the term "beneficial owner" is defined by Law No. 9917, dated 19.5.2008 "On prevention of money laundering and financing of terrorism", as amended, article 2/paragraph 12, as the natural person who owns or controls a customer and/or the natural person on whose behalf a transaction is being conducted. It also includes those persons who exercise ultimate effective control over a legal person. Ultimate effective control is the relationship, in which a person:

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- a) owns through direct or indirect ownership at least 25 per cent of shares or votes of a legal person;
 - b) owns at least 25 percent of votes of a legal person, based on an agreement with other partners or shareholders;
 - c) defines de facto the decisions made by the legal person;
 - d) Controls by all means the selection, appointment or dismissal of the majority of administrators of the legal person.

This law also defines "Politically Exposed Persons" as persons who are obliged to declare their assets in accordance with law no. 9049, dated 10.4.2003 "On the declaration and audit of assets, financial obligations of the elected and certain public officials", including family members or associated persons in close personal, working or business relationships, excluding employees of the middle or lower management level, according to the provisions of civil service legislation. This category also includes individuals who have had or have important functions in a government and/or in a foreign country, such as: head of state and/or government, senior politicians, senior officials of government, judiciary or the army, senior leaders of public companies, key officials of political parties, including family members or associated persons in close personal, working or business relationships."

In view of preparing the EITI report 2016, the MSG asked reporting entities and contracting authority, MIE, to report information on beneficial owners in compliance with the definitions of the EITI standard. MIE has declared that the Ministry does not currently have a register as required by the EITI standard. Licensed entities were also not ready for this kind of reporting. The majority of companies choose not to fill in the forms stating that company ownership was registered in the National Registration Center. A great number of companies said they had

	<p>no detailed information over the full ownership chain. Only 17 companies reported their owners. In all cases, the owners were the same as those registered in the National Registration Center.</p> <p>State participation</p> <p>a) The State-owned entities in Albania are defined by article 213 of the Law 9901 dated 14.04.2008 "On entrepreneurs and commercial entities", as commercial entities owned and controlled directly or indirectly by central government or the local government, whereas control is the power to govern activities of the commercial entities. This law suggests that in case of matters requiring a qualified majority, the Shareholders'. The definition of SOEs is explained in the EITI 2016 Report and the MSG agreed with this definition during the EITI reporting process.</p> <p>b) The level of ownership of SOE(s) is explained in the EITI 2016 Report.</p>
<p>EITI REQUIREMENT 3</p> <p>Exploration and production</p>	<p>All the exploration, production and exports data are documented in the EITI Albania Report and once the report is finished, is published in the albeiti website: www.albeiti.org</p>
<p>EITI REQUIREMENT 4</p> <p>Revenue collection</p>	<p>Comprehensive disclosure of taxes and revenues</p> <p>The tax system that is applied in Albania for the extraction industry sector is the same that apply to the entire country's economy, value added tax (TVSH), profit taxes, dividends + royalties, bonuses, and other significant payments and material benefit to government. Mineral rent from the government is seen as a tax for the development of this area.</p> <p>To give impulse or development to the processing industry in the country, the government reduced the royalty for the processed chromium ore (ferrochrome) from 6</p>



to 3 percent. The EITI Report shows a comprehensive tax overview gathered by the government for 2016.

Sale of the state`s share of production or other revenues collected in-kind

In the EITI Report 2016 are disclosed the revenues collected in-kind by Albpetrol.

Infrastructure Provision and Barters Agreements

EITI 2016 Report includes an assessment of the applicability of infrastructure provisions and barter arrangements in the oil and mining sectors, disclosed respectively in the chapter 3 and 4.

Transportation revenues

The Albanian state does not receive transit tax. Albpetrol pipelines are not currently operating.

Two crude oil pipelines link ARMO's oil terminal in Vlora with Fieri and Ballshi refineries and with the two refineries between them. Both pipelines are not operating due to obsolescence. The oil pipeline network has a total length of 188 km and a capacity of 2.5 million tons per year.

The Trans Adriatic Pipeline (TAP) AG is a union of several International companies established with the purpose to planning, developing and building TAP's pipeline. The Albanian government has entered into talks with the TAP consortium for setting a Transit Tax. TAP is currently the largest contributor of the direct foreign investments in the country. Since the beginning of the construction until the end of 2016, TAP has invested about EUR 1.5 billion, out of this EUR 1 billion were invested in 2016. As set in the Host Government Agreement between TAP and the GoA, TAP will spend EUR 14 million in the infrastructure and other investments in the

benefit of civil society and communities.

Jonian Adriatic Pipeline (IAP Project)

The Albanian Government has prompted the possibility of implementing the Adriatic Pipeline (IAP) Project, in order to create a Joint Regional Infrastructure aiming to use Caspian gas into the markets of Albania, Montenegro, Southern Croatia and Bosnia and Herzegovina.

Because of IAP the planned route and transport capacities, IAP Project comprises a strategical important part of the gas transmission network in Albania.

Gas infrastructure in Albania

Government of Albania approved the Law no.102/2015 "On gas sector" in March 2015. This law will govern the development and operation of the gas transmission and distribution infrastructure in Albania.

In 2016, the Government established the Operator of the Gas transmission system, Albgaz sh.a., and announced the drafted master plan for the gas sector. This study costed about EUR 1.1 million and financed by EU.

The draft master plan analyses the use of gas in the industry, transport and household, etc. TAP will be the primary source of gas supply followed by the Ionian-Adriatic Pipeline (IAP) and other potential reserves in the country. The draft master plan considers the possibility of linking Kosovo and Macedonia to the Albanian network of gas transmission. In addition, the plan considers the possibility of underground gas storage tanks in the Divjakë Dumre.

According to the study, domestic gas consumption needs are forecasted at 2,167 million m³ in 2040 (including agriculture and transport). In the same year, potential use of gas in production of electrical power is estimated at 770 million m³, while potential use of gas in the oil refining process is forecasted at 89 million m³.

Transactions related to state-owned enterprises

Albpetrol pays to the Government taxes, as applied to all commercial oil companies and dividends in its capacity of sole shareholder of the company. Both Albpetrol and MIE informed that there are no special arrangements governing the transfers from Albpetrol to the Government and vice-versa. Albpetrol has been profitable so far, despite its large employee cost base. Table 6 below summarizes data derived from Albpetrol's annual financial statements and cash payments to the State Budget reported by Albpetrol for the EITI reconciliation reports for the years 2011-2016.

Albpetrol's financials show volatile profit results. Revenue is primarily derived from sale of available oil. Operating profits in 2016 are 62% lower than in 2013. This substantial drop is affected by decline in both oil prices and oil quantities, which are derived from Albpetrol's own oil production and share of oil collected from PSAs granted for areas under Albpetrol's license agreement. In 2015 and 2016, Albpetrol managed to reduce its personnel costs which comprise a key cost component. Based on the information disclosed in its financial statements, Albpetrol has not received, nor granted any loan to the Government so far. Albpetrol holds substantially large overdue trade receivables from ARMO amounting to ALL 12 billion at the end of 2016. These balances arise as a result of oil sold in the past to ARMO.

Sub-national payments

Royalty levied from taxable sales of oil, gas, and minerals is recorded in the State Budget. According to Law on National taxes no. 9975, dated 28 July 2008, amended, a portion of royalty tax shall be allocated to each local government unit ("LGU") in proportion with their contribution to the domestic output of oil, gas and mining.

Data quality and assurance

Applied Accounting Standards

The current regulatory provisions in Albania require that the incorporated entities apply International Financial Reporting Standards (IFRSs) published by the International Accounting Standards Board (IASB) or the National Accounting Standards (IAS), published by the National Accounting Council for accounting purposes and legal reporting.

Applied Auditing Standards

All entities, including participating joint stock companies ("SHA") and limited liability companies ("SHPK") are subject to legal audit, excluding those SHPK classified as a smaller entity.

Level of disaggregation

The Level of disaggregation is represented in Appendix 1, 2, 3 of the EITI 2016 Report.

Data timeliness

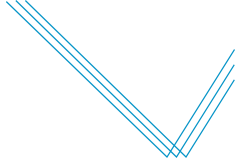
The EITI 2016 Report was produced and published in accordance with the EITI requirements, on 15 February 2018.

Data Quality and assurance

EITI 2016 Report provides an assessment of the assurance procedures performed on the numbers reported by the government entities and licensees in this report. Chapter 10, provides details of the reconciliation of flows for the year 2016 and lists all entities who fail to report in 2016, including disclosure of impact based on unilateral reporting from the government entities.

Recommendations for improvements are also listed in EITI 2016 Report.

The EITI Albania MSG is drafting and approving an action plan on following up the EITI 2016 Report Recommendations so all the requirements will be covered aiming to improve the EITI reporting in Albania.



<p>EITI REQUIREMENT 5</p> <p>Revenue allocations</p>	<p>Distribution of extractive industry revenues</p> <p><i>Royalty levied from taxable sales of oil, gas, and minerals is recorded in the State Budget. According to Law on National taxes no. 9975, dated 28 July 2008, as amended, a portion of royalty tax shall be allocated to each local government unit ("LGU") in proportion with their contribution to the domestic output of oil, gas and mining.</i></p> <p><i>Regulatory framework on subnational transfers of royalty Up to November 2014, the Law on National taxes requested 25% of royalty tax to be allocated to each local government unit ("LGU") in proportion with their contribution, however within the terms of the annual budget law. The formula for allocating royalty to the beneficiary LGUs was not disclosed and the transfers made could not be linked to the LGUs contribution in royalty levied. Up to 2014, only oil producing countries could benefit from the subnational transfers of royalty.</i></p> <p><i>On 27 November 2014, the Government of Albania introduced changes to the Law on National taxes, whereby the LGUs are entitled to receive 5% of the royalty generated from sales of oil and minerals extracted in their district. Under these new terms, royalty transfers are linked to the LGUs contribution and not affected by any other budgeted transfer in accordance with the annual budget law. Instruction no. 26, dated 4.9.2008 "On national taxes", amended ("the instruction") lists the reconciliation procedures to be performed by the beneficiary LGUs to ensure fair allocation of royalty. Accordingly, each LGU shall agree at the end of the month royalty payments made by licensees operating in the LGU district, with the regional directorate of taxes and customs. The regional directorates of taxes and customs shall submit</i></p>

analytical list of royalty collected and benefiting LGUs to the Directorate of Budget at Ministry of Finance ("MF"). Upon receipt of the reconciliations, MF initiates monthly transfers of royalty to LGUs. In case of oil companies, which operate simultaneously in several LGUs the instruction sets the share of royalty to be allocated.

Actually the Albanian government is again reviewing the percentage of the royalty that will be transferred to LGU-s.

Subnational transfers

The Ministry of Finance and Economy is in the process of improving the procedures in order to ensure the accuracy and completeness of royalty distribution in accordance with the new legal requirements. Under the proposed changes, the LGUs in 2015 shall have the right to receive 5% of the mining royalties generated by companies operating in their area without considering any transfer provided in accordance with the Annual Budget Law. Instruction No. 26, dated 04.09.2008 "On national taxes", as amended, defines reconciliation procedures for the allocation of mining royalties. Under this instruction, LGUs must perform reconciliation with the Regional Tax and Customs Directorates at the end of each month and send the reconciliation forms to the General Budget Directorate in the Ministry of Finance. At the same time, the regional tax and customs directorates must send within the same month analytical information on the royalty collected and beneficiary LGUs. Based on these reconciliations, the Ministry of Finance carries out royalty transfers to beneficiary LGUs in the following month.

For oil companies, whose activity extends to several LGUs, the instruction sets out the royalty percentage amount distributed to each LGU depending on the areas where oil or gas is produced or sold.



Revenue management and expenditures

The revenues collected by the State Budget from the extractive industry are added to other revenues and are naturally allocated through budget items. There is no specific allocation of these revenues in budget programs with the exception of the Royalties where 5% passes to local government according to the areas where the extractive industry operates. At the same time, these revenues account for about 5% of the state budget.

AKBN manages a part of the revenues from Hydrocarbon Agreements. AKBN has not given so far any information on how these revenues are allocated in its budget.

The Albanian government collects revenue from oil and gas sector through oil production, bonuses, royalty, profit and dividend tax, income from employment. The report shows the distribution of total revenues generated by oil operations between the Albanian Government, Albpetrol, AKBN and private oil companies. The Albanian Government's interest in PSA is administered by Albpetrol and AKBN, which received from PSA: bonuses, share of oil production and other income derived from non-execution of contract terms such as fines and executed warranties.

MIE (Ministry of Infrastructure and Energy) publishes in its website financial information on expenses by nature and program

<http://infrastruktura.gov.al/>

EITI REQUIREMENT 6

Social and economic spending

Social expenditures by extractive

Social expenditures are material expenditures made by companies in the sector of Extractive Industries to the benefit of the public and civil society, as mandated by law or by contract with the government.

The government and oil companies involved in the oil sector informed that currently applicable oil deals do not include mandatory social payments to be made by oil companies for the benefits of communities.

The time and amount of social payments are decided by oil companies at their discretion. Companies must present these costs to AKBN/Albpetrol for approval as part of the annual budget.

Quasi- fiscal expenditure

The EITI Albania MSG discussed in the meeting of 12. 02. 2019 the existence of quasi-fiscal expenditure in Albania and their materiality. The statement of MSG on this issue will be sent separately to the International Secretariat and will be covered in the next EITI Report.

The contribution of the extractive sector to the economy.

Based on data reported by Government agencies shown in EITI 2016 Report, the extractive sector and hydropower accounted collectively to no more than 6% of the gross domestic product in 2016, amounting to ALL 87,483 million¹. Exports from the extractive sector have increased substantially by over 100% up to 2013, when they reached ALL 96.7 billion or 39% of total exports. This share dropped to 19% of total exports in 2016 (chart 4) or ALL 47.0 billion (chart 5), simultaneously affected by the decrease in international prices for oil and the increase of domestic oil refining activity. Based on data reported from the GDT, license holders



	<p><i>engaged in the extractive sector of oil, mining and hydropower sector employed collectively approximately 16,500 staff accounting for 1.4% of the registered workforce reported by INSTAT in December 2016.</i></p>
<p>EITI REQUIREMENT 7</p> <p>Outcomes and impact</p>	<p>Public debate</p> <p><i>The EITI report in Albania is comprehensible and publicly accessible. Both EITI Reports and Summary Data File are available online in open data format. Also paper copies of the EITI Reports are constantly produced and distributed to stakeholders.</i></p> <p><i>The Reports are published in Albeiti website both in albanian and english language.</i></p> <p><i>The EITI Albania Report is used widely by stakeholders on the public debate.</i></p> <p><i>The organization of meetings with journalists from local and national media, the editorials, chronicles writings and the organization of meetings with local and foreign interest groups clearly shows the commitment of the MSG and the EITI National Secretariat to promote a nationwide public debate and to influence in the economic and social development of communities.</i></p> <p>Data accessibility</p> <p><i>The EITI National Secretariat publishes the EITI Reports on its website and all parties concerned have full access for the required data. Hard copies of EITI Reports and Summary Reports are widely distributed to relevant stakeholders.</i></p> <p>Discrepancies and recommendations from EITI Reports</p> <p><i>Descrepanices and recommendations in EITI Reports are discussed in the MSG meetings. Lately the National Secretariat proposed that a permanent subgroup should be created within MSG. This group will follow the implementation of the EITI Report reccomandations and also the</i></p>

Corrective Actions raised by the Validation until their complete fulfillment.

Review the outcomes and impact of EITI implementation

To overcome the obstacles that arise in this direction, the EITI National Secretariat and MSG have worked closely with the parties involved in the process. Many communication and promotion activities with all the stakeholders were conducted from the EITI National Secretariat and the MSG.

Adopting the Transparency Law is a promising statement but at the same time it requires work coordination by the parties involved.

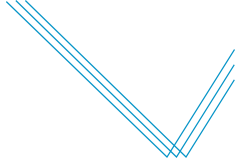
2020 will be the year of the publication of Beneficial Ownerships and as a member of the EITI, Albania is pursuing the right steps to fulfill this global obligation. A BO Roadmap of all the steps to be followed was published in January 2017. EITI National Secretariat has performed and is conducting all the foreseen activities in this roadmap. The draft Law "On the transparency of the activities of the extractive industries and the use of natural resources in the Republic of Albania" includes legal provision for the declaration of BO.

Many meetings were performed from EITI National Secretariat and lately from CSOs, members of MSG, with Local Government Units in the areas where extractive industries operates, companies and civil societies representatives, to promote EITI, inform on EITI Report, issues on EITI Reporting.

On the other hand, organizing meetings with journalists from national and local media. Informing media on the EITI initiatives work and mission is a path that reflects a serious commitment to transparency in the extractive sector.

The novelty that led to the organization of the EITI Survey was for the EITI National Secretariat the best way to analyze the public's perception of the EITI impact and implementation in Albania.

Survey results showed that the local and central administration (affected by EITI Reporting) lacked information on EITI requirements.



As a result, the EITI National Secretariat decided that the activities foreseen in the Work Plan would play a key role in organizing informative activities mainly focusing on this group.

We can express that local government (when an extractives industry operates) and central administration by responding on time and with quality to the EITI Initiative requirements and obligations proves that the EITI Work Plan has achieved the objective in this regard.

Progressive growth of reporting companies in the EITI.

Over the years, the percentage of reporting by the extractive companies has increased progressively, aiming at a greater involvement of the sectors.

I. In the oil sector for EITI Reports have reported 100% of companies operating in this sector.

II. In the Mining sector, the number of companies has increased from year to year and the percentage of production realized by these companies in concrete terms is:

1. In 2012, 69 companies, reporting 77.1% of the mining production.

2. In 2013, 81 companies, reporting 85% of the mining production.

3. In 2014, 99 companies, reporting 87% of the mining production.

4. In 2015, 105 companies, reporting 89% of the mining production.

5. In 2016, 128 companies reporting, 90% of the mining production.

III. In the Electric Power sector have reported the main companies operating in this sector.

- In 2015, 13 companies, reporting 90% of electricity production.

	<p>- In 2016, 12 companies, reporting 90% of electricity production.</p>
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	<p>Frequent changes within staff in some of institutions have caused confusion and difficulty, but friendly approach between the parties has brought into the concrete results.</p>
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Overview of the multi-stakeholder group's responses to the recommendations from reconciliation and Validation, if applicable



The EITI 2015 Report Recommendations are discussed in the MSG as follows:

During 2017, MSG has discussed the preliminary conclusions of the Validation Process as well as the preliminary reports submitted by the Validation Group and its preliminary draft report. National Secretariat has requested MSG comments on the Conclusions issued by the Independent Validator and discussed in the last meeting of 2017.

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<http://www.albeiti.org/viti-2017/>

The final conclusion of the Validation Process and measures that were taken regarding the Corrective Actions will be reflected in detail in 2018 APR.



Any specific strengths or weaknesses identified in the EITI proces

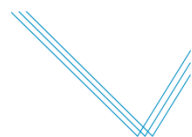


1. Strong point of EITI implementation in Albania is the inclusion of Hydropower in EITI Reports, an innovation that goes beyond the mandatory requirements of the EITI Standard.
2. Albania is the only country in the region that is part of the EITI Initiative and has implemented it successfully for years.
3. To be mentioned as a very positive achievement is that, during the Validation Process conducted in 2017, Albania was assessed with Meaningful Progress in the Implementation of EITI.
4. Another positive achievement during 2017 is the drafting of the Law on Transparency, sent for approval in the respective institutions.

As weak points we can mention:

1. Not timely reporting by businesses and some institutions for the EITI Report.
2. Lack of tightening legal mechanisms for extractive industry companies that do not report within the deadlines for the EITI Report.

Total cost of implementation

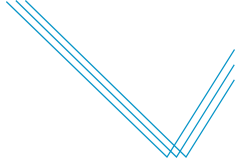


During 2017, the National EITI Secretariat was funded by the State Budget at the amount of 16.000.000 ALL. The World Bank's Project, Grand TFA01769 continued through 2017, and there was disbursed USD 285,959. The amount of USD 224,624 was spent during the year for Consultancy payments, EITI Report 2016, Operational Expenses and Trainings.

The Other Donors fund (donations from companies operating in the Extractive Industry, made during 2014 for the implementation of EITI in Albania) was used for the consultancy of website maintenance.

A detailed description of activities in 2017 is given below:

FUND DETAILED BY ITEMS	FORECAST	COMPLETED	%
A. State Budget	16,000,000 ALL	11,481,000 ALL	72
Wages	8000,000 ALL	6,769,000 ALL	85
Social and health insurance, TAP	3000,000 ALL	2,875,000 ALL	96
Other operating expenses	2,560,000 ALL	1,837,000 ALL	72
Investment	2,440,000 ALL	-	
B. World Bank (TFOA1769)			
USD	-	224.624 USD	
The situation at the end of the year		64.150 USD	
C. Other donor funds			
a. The situation at the beginning of the year	153,073 ALL	ALL	



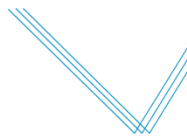
<i>FUND DETAILED BY ITEMS</i>	<i>FORECAST</i>	<i>COMPLETED</i>	<i>%</i>
Maintenance cost of web internet	-	124,488 ALL	
Operating expenses		11.754 ALL	
The situation at the end of the year	-	16.831 ALL	

Any additional comments



No additional comment

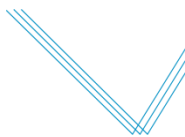
Has this activity report been discussed beyond the MSG



The 2017 annual activities report was discussed at the meetings of EITI Albania and MSG, with the EITI process contributors, civil society, operating companies in the country, central and local government and residents of extractive industry areas. The Albanian EITI Secretariat considered the various suggestions that came from each interested party.

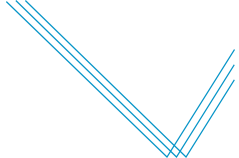
Refer to the "Communication Actions" section above.

Details of membership of the MSG during the period



During 2017, MSG members there were: four (4) representatives from Civil Society, five (5) representatives from the extractive companies and seven (7) representatives from the government. Mrs. Madlina Puka, a civil society representative, has resigned from her functional post at EITI Albania's MSG member in June 2016. Her place in EITI Albania MSG remains vacant, despite repeated requests from the National Secretariat for its replacement.

We point out that at every meeting of the MSG all the contributors who have been part of the EITI initiative since its establishment have been informed and every their suggestion is heard and taken into consideration.



Approved by MSG Chair:

Date: _____

Enis Aliko _____

By Stakeholder Representatives:

Government

Civil Society

Extractive Industries

Pictures from activities

