

Assessing the effectiveness of the hunting ban in Albania



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Realised with the support of PPNEA

All pictures by Ndoc Mulaj
The hunting activities depicted were recorded during the time frame of the research project

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Abbreviations

ASPBM	Albanian Society for the Protection of Birds and Mammals
AOS	Albanian Ornithological Society
BioNNA	Biodiversity National Network of Albania
BLRP	Balkan Lynx Revocery Programme
CBD	Convention on Biological Diversity
CIC	International Council for Game and Wildlife Conservation
CITES	Convention on International Trade in Endangered Species of Wild Flora and Fauna
CMS	Convention on the Conservation of Migratory Species of Wild Animals
COPATE	Committee on Production Activities, Trade and Environment of Albania
FACE	Federation of Associations for Hunting and Conservation of the EU
FAO	Food and Agriculture Organization of the United Nations
FKSHGJK	Albanian National Federation for Hunting and Conservation („Federata Kombetare Shqiptare per Gjueti dhe Konservim“)
GIZ	The German Corporation for International Cooperation GmbH
INCA	Institute for Nature Conservation in Albania
IUCN	International Union for Conservation of Nature
ISHMP	Inspectorate of the Forestry Police
IWC	International Waterbird Census
JICA	Japan Association for Cooperation
KfW	Reconstruction Credit Institute (Kreditanstalt für Wiederaufbau)
LGU	Local Government Unit
MoE	Ministry of Environment (recently renamed Ministry of Environment and Tourism)
NEA	National Environment Agency
NAPA	National Agency of Protected Areas
NGO	Non Governmental Organization
PPNEA	Protection and Preservation of Natural Environment in Albania
RAPA	Regional Agency of Protected Areas
UNDP	United Nations Development Program

1 Introduction

After the 1990s, due to a lack of conservation efforts, restrictions, and in particular enforcement, wildlife in Albania faced a constant decline. Beside of degradation and habitat loss due to deforestation, hunting was one of the major causes for the massive reduction of the population of wildlife species (e.g. migratory birds, deer, wild boars, hares etc.). Especially during the civil unrest in 1997, a huge amount of illegal weapons came in the hands of civilians, resulting in an ever stronger hunting pressure (Davies 2016, Parameswaran & Gaedtke 2014). Until today, the immense amount of illegal weapons in the country maintains a major issue in restricting illegal hunting. As a reaction to the devastating situation of wildlife, Albania's government approved a complete hunting ban for the whole of Albania in January 2014. It came into force in March 2014 and was intended to remain effective for two years until March 2016 (law no. 7/2014 "proclaiming the moratorium of hunting in the republic of Albania"). Within that timeframe some positive effects of the ban were reported (BirdLife International 2015a, PPNEA 2016a). Nevertheless, the government did not manage to put a functional hunting system into place or to completely fulfill their objectives set in their Action Plan (MoE 2016). Therefore, the ban was extended for five more years until 2021 (law no. 61/2016 "On the Promulgation of the Moratorium in the Republic of Albania"). The decision for a complete hunting ban was not based on a solid monitoring of wildlife or a proper analysis of the problems relating to the hunting game. It resulted from international pressure, most prominently due to the article "Last Song for migrating birds" from the famous novelist Jonathan Franzen, published in National Geographic. In this article, he excessively describes the serious situation in Albania and stresses the need for change (Franzen 2013). In addition during the first period of the hunting ban Birdlife international published the report "The Killing" in 2016. It denounces the illegal killing of 25 million birds in the Mediterranean. With around 265000 birds killed illegally, Albania is among the top ten countries on this hitlist (BirdLife International 2015b).

Furthermore, the decision for a complete hunting ban was driven by the intention of Albania to become part of the European Union which included fulfilling the corresponding environmental criteria for the accession of Albania (Pacara & Kalemaj 2010). Nationally, the environmental NGOs were raising an alarm regarding the drastic situation that wildlife was facing and actively lobbied for the ban. The hunting ban was a drastic measure to make the public aware of the critical status of wildlife and at the same time it was a means to bring all state officials into action. The first period of the moratorium was welcomed by all of the actors, whereas the prolongation for five more years was seen much more critically, especially by the Hunters community. Nonetheless, it was passed by Parliament. Still, lately a strong opposition is growing that is aiming to lift the ban. Albania is the first and only country worldwide that has enabled a complete hunting ban for a longer time period. For this reason, it provides the basis for a unique case study. The aim of this project is to research the outcomes, in particular the effectiveness, implementation, and enforcement of the hunting ban in Albania. An additional goal of the project is to monitor the current legal reform to determine if it fulfill relevant aspects to ensure a functional hunting system.

2 Context of the research project

The research project was realized within the frame of the BLRP of the Environmental NGO PPNEA. PPNEA is and has been one of the most active NGOs lobbying for the hunting ban and its prolongation. The organization was founded in 1991 and was the first NGO at that time in Albania. Through their successful work in the last decades, they have developed good relations with governmental

institutions, NGOs, and locals on site alike. Due to that fact they were able to provide extensive field access for the research project. The BLRP was started in 2006. The general project aim is to combine the protection of the Balkan lynx (*Lynx lynx balcanicus*), a subspecies of the Eurasian lynx (*Lynx lynx*), with the establishment of large protected areas by using the Balkan lynx as a flagship and umbrella species (PPNEA 2016b). The Balkan Lynx is classified by the IUCN as critically endangered with not more than 50 remaining mature individuals (IUCN 2017). The Balkan Lynx is currently only confirmed to be present in Albania, Macedonia and Kosovo (EuroNatur 2015, Melovski et al. 2013, Trajce et al. 2014). The project is in its 4th phase, with a focus on improving existing knowledge about the Balkan Lynx, its habitat and prey. Furthermore, the project aims to improve wildlife management and increase awareness rising. Two objectives of the policy strategy of the current BLRP are to monitor the implementation of the hunting ban and the current legal reform. Another objective is to understand the effectiveness of the hunting moratorium (PPNEA 2016b). This research project adds value to these objectives. A sustainable hunting management in Albania is important to hold and recover the biodiversity loss. It is crucial not only to protect the Balkan Lynx itself from persecution, but also to ensure that it has access to a sufficient amount of prey, since it is mainly feeding from roe deer, chamois, and brown hare (Melovski et al. 2013). Due to the high amount of illegal hunting, these species are under severe hunting pressure in Albania.

3 Methodology

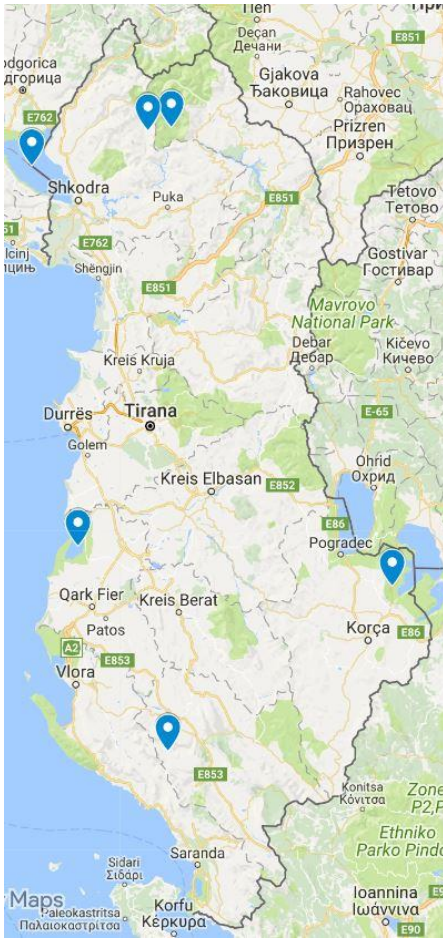
The implementation of the hunting ban was monitored through personal observation during field trips of PPNEA in several regions of Albania. A detailed time line and information regarding the field trips is provided below.

Date	Location	Protection status	Monitored species
10 th to 12 th of October 2017	Skadar Lake Nature Park	managed nature reserve IUCN category IV (habitat / species management area)	Otter (<i>Lutra lutra</i>)
30 th of October to 2 nd of November 2017	Nikaj-Mertur Regional Nature Park	Regional park IUCN Category IV (habitat / species management area)	Balkan lynx (<i>Lynx lynx balcanicus</i>)
14 th of October and 13 th of November 2017	Divjaka-Karavasta National Park	National park IUCN Category II National park Ramsar Site	Dalmatian Pelican (<i>Pelecanus crispus</i>)
15 th to 17 th of November 2017	Prespa National Park	National Park IUCN Category II National park Ohrid-Prespa Transboundary Biosphere Reserve	
18 th of November 2017	Nivica/Gjirokaster	No protection status	Egyptian vulture (<i>Neophron percnopterus</i>)
19 th to 21 st of December 2017	Shalë	No protection status	Balkan lynx (<i>Lynx lynx balcanicus</i>)

Table 1: Timeline field trips

The difference in protection status of the visited sites provided the opportunity to find out if this has an impact on the implementation of the hunting ban. During the field trips, any signs of hunting were recorded with an observation field form. The main aim of PPNEA's fieldtrips is monitoring the wildlife of mammals and birds. Due to the fact that those field trips did not always take place during the usual hunting times (early morning and late afternoon), there might have been a reduced amount of direct hunting activities that could have been observed. If footage of wildlife camera trapping existed, it was analysed regarding signs of hunting and this information was included in the analysis.

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To add additional information and to increase the validity of the findings, informal interviews with local residents and rangers on site were conducted. Due to the current illegal nature of hunting activities in Albania, using a formal questionnaire was seen as an inadequate method as it would scare people off from speaking freely about the topic. Informal interviews provided a richer source of information and gave insights into the opinions of the locals on the hunting ban. These informal interviews were guided by an open questionnaire, but conducted as open conversations (Gläsel & Laudel 2010). Especially the evening discussions with local residents that hosted the staff of PPNEA during the field trips gave the opportunity to dig deeper into the topic. Besides information concerning the implementation of the hunting ban, they provided the possibility to learn more about the attitudes of the locals towards it. A variety of methods were used in order to increase the amount of information gathered about the implementation. This information was correlated afterwards with existing reports on the implementation in those regions. In addition, explorative expert interviews were conducted with 11 stakeholders and representatives of institutions and organisations that are involved in processes related to the hunting ban, either on the level of legislation (e.g. MoE, NAPA) or implementation (e.g. scientific experts, national and international NGOs).

Figure 1: Map of the visited sites during the field trip. Source: Google Maps

The experts interviewed are listed below with their position and the organisation or institution that they are representing.

Name	Position	Organisation/Institution/NGO	Sector
Zamir Dedej	Director	National Agency of Protected Areas (NAPA)	Government
Elvana Ramaj	Head of the Biodiversity Unit	Ministry of Environment	Government
Kliti Starja	Head of the Forestry Division	National Environment Agency (NEA)	Government
Klodian Ali	Director	Albanian Society for the Protection of Birds and Mammals (ASPBM)	Conservationist
Bledi Hoxha	Project Manager	Protection and Preservation of Natural Environment in Albania (PPNEA)	Conservationist
Dr. Taulant Bino (informal talk)	President	Albanian Ornithological Society (AOS)	Conservationist
Stefan Ferger	Project Manager	Euronatur	Conservationist
Goran Gugic	Senior Advisor Protected Areas and Natura 2000	Institute for Nature Conservation in Albania (INCA)	Conservationist
Themi Perri	Director	Albanian National Federation for Hunting and Conservation (FKSHGJK)	Hunter
Haki Zoto	Director	Hunting NGO	Hunter & Conservationist
Dr. Andrian Vaso	Consultant/Scientific Expert	Providing Gap analyses for the UNDP	Conservationist
Dr. Ferdinand Bego	Zoologist- Ecologist Lecturer University of natural sciences Tirana	University of Natural Sciences Tirana	Conservationist

Table 2: List of Expert interviews

Since literature on the hunting ban is limited, the explorative expert interviews played an important role as a source of information to enhance the knowledge about the situation and related developments. This qualitative method was chosen, as it offers the opportunity to gain extensive information on the topic (Schnell, Hill & Esser 2013: 313). A quantitative questionnaire would not have been an adequate method, as it was of interest to get deeper insights into the position of relevant stakeholders towards the ban and their vision of a sustainable wildlife law and management. For the reasons mentioned above, the expert interviews were held as semi-structured interviews to give the interviewed person the chance to talk openly and freely about the subject (Gläser & Laudel 2010). Still, in order to provide structure within the interviews, the content was clustered into five categories: Introduction, Efficiency, Legal context, Stakeholders and Uncategorised. The *Introduction* focusses on the opinions about the hunting ban itself, on what grounds it was enacted and which benefits are resulting from it. *Efficiency* covers the implementation of the ban and future perspectives on the regulation of hunting in Albania. The section *Legal context* provides information and opinions regarding the shaping and timing of a new law or the amendment of the existing one. The cluster *Stakeholders* depicts the stakeholders that should be involved in the legislation, implementation, and management of hunting. Due to the vast amount of audio material (12 hours) recorded during the interviews, only those parts were transcribed that had an importance for the current research interest. The insights gained from the expert interviews were the basis for a stakeholder analysis that illustrates the attitude of the different actors towards the ban and their influence on it. Furthermore, it shows the relations between the different actors. In addition, a **Strengths, Weaknesses, Opportunities, and Threats (SWOT)** analysis was conducted.

One key objective of the hunting ban specified in the Action Plan of The MoE was to reform the legislative framework related to hunting activities to increase knowledge about the current status of the legal reform on hunting. Two current legislative processes, one initiated by the MoE and consulted by the UNDP and the other one by the FKSHGJK, were monitored.

The UNDP organized three round table technical discussions to present their work and to consult with relevant stakeholders. These events were attended to increase knowledge about the current implementation status, the stakeholders involved, and possible outcomes.

To gain insight into the process initiated by the FKSHGJK, transcripts of their hearings at the COPATE were taken into account. These hearings were used to present and defend their draft law. Additionally, an interview with the director of the federation, Themis Perri, served as a source of information. The different types of methods were chosen to achieve a more comprehensive overview of the situation.

4 Field observations - implementation of the hunting ban

4.1 Skadar Lake Nature Park

From the 10th until the 12th of October 2017, a field trip to the Skadar Lake Nature Park took place. The Park hosts the biggest lake in the Balkan Peninsula and is part of the List of Wetlands of International Importance as defined by the Ramsar Convention (Ramsar 2018). Furthermore, it is protected by the national law no. 8906, date 06.06.2002, "on the protected areas" amended. It is designated as a managed nature reserve which falls into the IUCN category IV (habitat / species management area). The main goal of the field trip was the monitoring of otters (*Lutra lutra*). The monitoring was carried out by PPNEA. An additional goal of this activity was the training of the staff from the Regional Office of Protected Areas (RAPA) in wildlife monitoring in the field. Their knowledge of the area was of great help for PPNEA regarding the search for traces of otters within 37 plots around Lake Shkodra. Out of those 37, ten spots showed signs of recent hunting activities. Those signs were gunshots that had been

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heard and a considerable amount of cartridges that were found. In order to determine the relation of the cartridges to recent hunting activities, they were analysed concerning the level of rust on their metallic parts. Only those with less or no signs of rust were registered. Detailed information on the findings are documented in the observation form and illustrated exemplarily by the pictures below. There also were traces on other illegal activities like logging, which has been forbidden by law no. 5/2016, “proclaiming the moratorium on forests in the Republic of Albania”. This prohibition was enacted for a duration of ten years. Furthermore, a hidden generator for fishing with electricity was found, which is a violation of law no. 64-2012, “On Fisheries”. In Article 16, tools are defined that are forbidden for fishing, which include “*devices that generate electrical discharges.*”



Fig. 2 Cartridge at the shore of Lake Shkodra



Fig. 3 Cartridge in the meadows



Fig. 4 Hidden generator for fishing with electricity



Fig. 5 Illegal logging

No.	Date	Region	Coordinates	No. of Cartridges	Traces	Type of Hunting (shot, trapped etc.)	Species
1	10.10.2017	Lake Shkodra	0368614/ 4658767	1			
2	10.10.2017	Lake Shkodra	0370647/ 4658106	1			
3	10.10.2017	Lake Shkodra	0373816/ 4660503			2 gunshots heard	
4	11.10.2017	Lake Shkodra	0373621/ 4661720	2			
5	11.10.2017	Lake Shkodra	0373691/ 4665178	1			
6	11.10.2017	Lake Shkodra	0370035/ 4671262	1			
7	12.10.2017	Lake Shkodra	0367207/ 4672713	1			
8	12.10.2017	Lake Shkodra	0365739/ 4674114	2			

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9	12.10.2017	Lake Shkodra	0367576/ 4681439	7			
10	12.10.2017	Lake Shkodra	0370291/ 4687017	9			

Table 3: Observation form field trip



Fig. 6 Map of the spots where hunting traces were found

During an informal conversation with one of the RAPA rangers in charge of enforcing the implementation on site, the rangers showed a positive attitude towards the ban. He was welcoming the initial decision for a ban and its prolongation and saw it as a necessity for the recovery of wildlife in the region. An additional positive outcome that he described was that it scared off illegal hunters from outside the region and the country. He mentioned that before the ban was enacted, a lot of hunters, especially from Italia, came to Lake Shkodra. He stated that the people living around the lake are in favour of the hunting ban, because most of them are fishermen and they do not hunt. The ranger reported that during this year, four cases of illegal hunting were registered. Furthermore, seven hiding places of hunters made out of reed were destroyed. In the week from the 2nd to the 5th of October, RAPA caught three people with rifles in the Buna-River-Velipoja protected landscape. The reported numbers seem to be considerably low comparing to the findings during the three days of monitoring alone. On the one hand, his perception of the situation or at least his willingness to talk about it might imply a bias, as he is in charge of enforcing the hunting ban in the protected area. He seemed to be suspicious why those questions were asked in the first place. On the other hand, the RAPA of Shkodra consists of 14 members in charge of several protected areas. Considering only the Skadar Lake Nature Park with a size of 26535 hectares, the amount of people protecting it seems to be rather low. Equipment and sufficient money for fuel are another factor that is limiting the proper surveillance of the area. Furthermore, the staff was not very motivated to take part in the monitoring activities, which might be related to their small salary. In addition, The NGO ASPBM conducted a monitoring of the hunting ban in this area in January 2017. To sum up their findings of illegal hunting around Lake Shkodra during the four days of monitoring in January 2017: up to 50 gunshots were heard, 66 cartridges found, two groups of hunters and three individual hunters were faced. In addition, they found two new secret covertures and three killed birds (ASPBM 2017). All of their findings were reported to the officials of the designated National Agency of Protected Areas (NAPA). During the

expert interviews, the Director of NAPA himself mentioned that the Shkodra Region was facing difficulties in implementing the ban. Still, the numbers of the IWC are showing an increase of the amount of birds sighted there. In 2016, 25620 individuals and 21 species were counted. In 2017, the number increased to 38628 individuals, again of 21 species (IWC 2016/2017) which shows a certain amount of recovery of wildlife. However, the number dropped in the 2018 IWC again to 19020 individuals of 31 species. The preliminary report of the IWC remarks that *“there are evident fluctuations of the overall number of individuals and species attributed to various factors including climate (temperature too high or too low) as well as human disturbance (including habitat degradation).”* (IWC 2018). This shows that beside hunting pressure other factors like warm winters in north Europe might have an impact of the birds sighted.

Another informal talk was conducted with a registered hunter who owns property at the lake. He stated that since the ban was enacted, he and other registered hunters in the area were following the law. Still, he mentioned that occasionally cases of poaching are happening.

4.2 Nikaj-Mertur Regional Nature Park

From the 30th of October until the 2nd of November 2017, a field trip in the Nikaj-Mertur Regional Nature Park took place. It is listed by the IUCN under Category IV (habitat / species management area). The field trip was dedicated to remove cameras placed from the 15.05. until the 02.11.2017 to record the presence of the Balkan lynx (*Lynx lynx balcanicus*) and other wildlife. The trip took place in the form of a three day hike, with overnight stops at the houses of local residents. At this time of the year, autumn, the trails were covered by leaves, which made it difficult to spot signs of hunting. Due to that fact, beside of one cartridge no direct traces of hunting were found. In contrast, the conversations with the locals provided a lot of information concerning hunting in the region. All hosts that provided shelter during the trip stated that there had not been a single control since the ban was enacted. They only became aware of it through TV, radio or rumours, some even only during the second period of the moratorium (from 2016 onwards). Due to those facts, the impact of the ban in the region seemed to be considerably low. Only the legal registered hunters, which they counted as three, stopped hunting. Nevertheless, the majority of illegal hunters, proceeded with hunting as before. In several houses, ammunition was visible in the living rooms, in one case, there even was a hunting rifle hanging on the wall. The owner of this house proudly explained the functionality of three different types of ammunition for hunting different kinds of animals. The first type was to go hunting on large mammals, mainly wild boars as he stated. It has the effect to spread into several smaller parts when entering the body of the animal. One was specifically made for shooting birds and there also was a regular one. Ironically, the meat that was served at dinner was wild boar. All hosts were clearly against the hunting ban, but in favour of certain hunting restrictions, e.g. forbidding hunting during the breeding season, as it causes significant damage to the populations. The persecution of animals was also often related to the fact that they entered their property. One local mentioned that wild boars are causing a lot of damage on his fields, so he has to protect his property against them. Here, the dimension of the spatial distribution seemed to play an important role. When animals were crossing the border of their property, they considered it as their right to go after them. This seems to play an especially important role in the mountainous regions in the North of Albania. This correlation was already shown by an ethnographic study that investigated the relations between humans and large carnivores in the North of Albania (Trajce 2016). Another one of the locals, a beekeeper, took a different approach. He differentiated between species that entered his property. He did not go after the bear that destroyed his beehives. Instead, he built a construction that made it impossible for the bear to reach the bees anymore. Another local reported that within the last three years five bears were killed in the region.

The persecution of bears is not only a violation of the law no. 61/2016 "On the Promulgation of the Moratorium in the Republic of Albania", but also of the law no. 10006, dated 23.10.2008 "On The Protection of Wild Fauna". It specifies in article 7 "*d) the prohibition and restriction of activities leading to the destruction of threatened endemic species of wild fauna, the reduction of the number of their populations, in harming their habitats, paths of migration and propagation conditions.*" as the brown bear (*Ursus arctos*) is classified as a vulnerable species in the Red List of Albania it falls under this protection scheme (IUCN 2013). Furthermore, the law no. 9587, dated 20.7.2006, "On the Protection of Biodiversity" prohibits "*all forms of intentional capture or killing of such species*" in article 23. In addition, Albania ratified the Bern Convention which forbids the "*Extermination of wild fauna and their populations*". As can be seen, those actions violate four different laws that are designated to protect wildlife in Albania. The cases described by a shepherd were mostly related to damage caused by the bears. In one case, a bear attacked livestock and got killed. In another case, he fed from fruit trees on a private property. He mentioned that one of the bears was accidentally caught and injured with a trap that was not placed to catch bears. In several conversations, the vast amount of trapping in the region was revealed. Our local guide indicated that there were 50 traps only around "Curraj I Eperem" and around 100 traps in the whole region we travelled through. The traps were not set near the trails because they would cause damage to horses and donkeys. Those animals are still the main transportation means that people are depending on in the region, as the area consists of a steep and difficult terrain often with no road access and is sparsely populated. The guide was not in favour of this method of hunting as it often lead to the wrong kinds of animals getting trapped. Hunters regularly set a lot of traps and control them only at random. He referred to cases from the year before, where due to unselective trapping animals decayed in their traps. Beside of the current hunting ban, this vast amount of trapping is also forbidden by the law no. 10253, date 11.3.2010, "On Hunting", when it is unselective (article 45).

Another local was in favour of protecting chamois, as they would attract tourists. A shepherd mentioned that the amount of chamois has significantly decreased since the ban was enacted. He stated: "*Three years ago you could see 27 chamois together in one place, this doesn't happen anymore*" (pers. comment shepherd). Even though we did not witness any hunting activities on the grounds, the locals informed us about the large extend of these activities in the region. One shepherd stated that he hears or sees traces of hunting around here every five days. He also commented that in the week before, there was a big hunt and he heard around 300 gunshots. From his perception, a lot of young people are hunting there and they do not respect the old hunting rules, which refers to mainly killing an animal if it caused damage on one's property. In his eyes, a lot of these hunters come from the region "Shalë". In the majority of the conversations with locals, the critical status of wildlife was correlated to the absence of knowledge about hunting traditions. The locals also reported that illegal hunters went hunting during the breeding seasons of the animals and shot everything that moves. They would not make a difference between endangered and huntable species. In the village of Lekbibaj, we had the chance to talk to one of the three registered hunters. He was in favour of the moratorium and its prolongation. Alike most people we talked to, he saw the absence of enforcement in the region as a key issue. According to him, there neither was any type of checking if the ban was obeyed nor did the locals get an official announcement by the government. He heard about the ban from the internet and television and stated that he and other legal hunters do not go hunting anymore since the ban has been enacted. In his opinion, the ban should be limited to certain species and should rule out those that cause damage on properties, like wolves. Nevertheless, he excluded bears strictly from this. He only hunted chamois and wild boars before the ban was enacted. Ironically, both species that he mentioned do not belong to the mammal game species in Albania. Those are only brown hare and red fox (Hoxha 2016). This shows that the level of education even among the registered hunters is in need of improvement. In his opinion, 85 per cent of the species in this region should be protected

and he estimated the rate of species recovery there since the beginning of the ban with 10 – 15 per cent. He emphasised that if controls would take place, from time to time or even once, this would scare people a lot and would considerably reduce the amount of illegal hunting. In several conversations it was mentioned that there is not a need for a hunting ban, instead it would be enough if the existing laws would be sufficiently implemented. This would guarantee a healthy wildlife population. It was pointed out, that the law no. 74/2014 “On weapons” should be enforced more strictly, e.g. to prevent people from hunting with military weapons like Kalashnikovs. The usage of those military weapons was also visible on the wildlife camera traps. Kalashnikovs fall under the category “A” of the categorisation of weapons in article 5 of the designated law and are solely allowed to be used by State forces, primarily in warfare. In article 3, they are explicitly excluded as hunting weapons. Furthermore, the law no. 10253, date 11.3.2010, “On Hunting”, amended, specifies in article 45 the methods, techniques, and prohibited tools in hunting. It excludes “*automatic or semi-automatic weapons*” as well. During the conversations, it was also emphasized that people in the region are not depending on hunting for food provisioning as most of them have livestock or at least three animals. In the following, the results of the camera trapping are presented.



Fig. 7 Hunted wild boar in the region
Picture taken at 08.11.2017



Fig. 8 Hunted wild boar in the region
Picture taken at 09.11.2017

The cameras for wildlife monitoring were placed at five locations in the Nikaj-Mertur Regional Nature Park from the 15th of May until the 2nd of October 2017. They were showing a significant amount of illegal hunting activities. Eleven hunters and 12 zagars (hunting dogs) were recorded. Same as observed in the Skadar Lake Nature Park, illegal logging took place as well (four cases). The table below depicts the evidence of illegal hunting recorded by the cameras.

Camera no.	Date	Camera placed at	Hunters with rifles / weapons	Zagar (hunting dog)	Illegal logging
1	13.07.-31.10.2017	Quafa e Kolshit	3	1	1
2	25.05.-31.10.2017	Quafa e Pipit	2	2	
3	14.07.- 01.11.2017	Kurizi Kuc-Curraj	2	6	

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4	25.05.-01.11.2017	Curraj-Lekbibaj			1
5	15.07.-01.11.2017	Quafa e Murretit left/right	4	3	2

Table 4: Illegal activities evidence from camera traps

4.3 Divjaka-Karavasta National Park

On the 14th of October and the 13th of November, field trips to the Divjaka-Karavasta National Park took place. They were dedicated to the monitoring of the Dalmatian Pelican (*Pelecanus crispus*). The National Park is part of the List of Wetlands of International Importance as defined by the Ramsar Convention (Ramsar 2018). Under the law no. 8906, date 06.06.2002, “on the protected areas” amended. It is designated as a National Park which falls under the IUCN Category II.

The National Park is composed of several lagoons. It is the biggest wetland in Albania and one of the biggest in the Adriatic. It provides the largest wintering grounds for migratory birds in the country. The International Waterbird Census (IWC) counted 39,999 wintering birds of 51 different species in 2017 and millions of birds cross the lagoons before heading to Africa (IWC 2017, pers. comment Taulant Bino). Considering that the IWC counted overall 165,268 bird individuals and 64 different species in Albania in 2017, it gives the Divjaka-Karavasta National Park a share of approx. 25 per cent. In 2018, the number in the Divjaka-Karavasta National Park increased again to 46,165 of 46 species, whereas the whole number for Albania decreased to 139,069. The reason for this does not have to be solely related to an increase in hunting activities. Climatic changes and habitat degradation also have an impact on the fluctuation of the birds counted (IWC 2018). During the whole year, over 250 bird species can be found within the lagoon. Considering that Albania has 353 different bird species overall, this underlines the high biodiversity value of the National Park (pers. comment Taulant Bino).

At each of those trips, the surroundings of five different birdwatching towers were searched for traces of hunting (with the help of binoculars). Neither direct hunting activities were observed nor traces of hunting were found. An informal conversation with Taulant Bino, former Deputy Minister of Environment of Albania and National Coordinator of the IWC, confirmed these findings. He stated that problems with illegal hunting in the National Park seemed to be resolved. Before the moratorium, the lagoons were hunting hotspots, having a significant impact on the population of nesting and migratory birds, even though hunting was already forbidden at that time by the law no. 10253, date 11.3.2010 “On Hunting”, amended. There, article 11 defines the areas where hunting is prohibited, this includes: *a) all areas not included in one of the hunting areas; b) in nature monuments, strict natural reserves, national parks and Ramsar areas (...) Coastal wetlands, which serve as habitats for migratory birds.* Large parts of the Essay “*Last Song for Migrating Birds*” of Jonathan Franzen, a famous American Novelist, are based on his observations in Albania in 2013, particularly in the Divjaka-Karavasta National Park. There, he drastically describes the extensive hunting in the lagoon at that time and introduces the idea of a hunting ban to protect migratory birds (Franzen 2013). The essay got widely recognized in the national and international media. During the expert interviews that were conducted, Themis Perri, Director of the FKSHGJK, Stefan Ferger, Ornithologist and project manager of the international environmental Foundation Euronatur, and Taulant Bino, Head of the NGO AOS, mentioned this essay as a key factor that pushed the government to become active concerning the vast amount of illegal hunting, finally resulting in the hunting ban. This might be one of the reasons that controls seemed to be more strict and frequent compared to other protected areas. Nevertheless, in every expert interview, Divjaka-Karavasta was provided as the best practice example for the implementation of the ban. Occasionally, credits for this were given to the Director of the RAPA of the region Fier, Ardian Koci, who effectively enforced the ban through strict controls. Monitoring of the

implementation of the moratorium by environmental NGOs are supporting this assessment. The environmental NGO ASPBM reported only a few cases during the hunting season (Dez-Jan 2016/17) which were minor compared to their findings in other regions (ASPBM 2017). PPNEA monitored the hunting ban in Divjaka-Karavasta from October 2015 until March 2016. For this purpose, they hired two guards to report and prevent illegal hunting activities in Divjaka-Karavasta. They reported only the sighting of one poacher and destroyed one hideout and five decoys during those six months. They came to the result that the problem of illegal hunting seemed to be resolved in the National park (PPNEA 2016a). Until today, the situation appears to remain the same, backed up by personal observation, a conversation with one of the local rangers and the current figures on hunting activities in the National Park.

4.4 Prespa National Park

To assess the functionality of the hunting ban in the Prespa National Park, an interview with Vasil Male, Head of the RAPAs Korçë, in charge of implementing the ban on site, was conducted. The Prespa National Park is part of the List of Wetlands of International Importance as defined by the Ramsar Convention (Ramsar 2017). Under the law no. 8906, date 06.06.2002 “on the protected areas” amended, it is designated as a National Park that falls under the IUCN Category II. Furthermore, it is part of an internationally acknowledged transboundary protected area, the Prespa Park shared between Albania, Greece, and Macedonia. In addition, it is part of the Ohrid-Prespa Transboundary Biosphere Reserve between Albania and Macedonia (UNESCO 2014). Vasil Male mentioned that he was informed about the enacting of the ban by an official document from the ministry. He stated that he is in favour of the hunting ban, but remarked that the Prespa National Park has a very strict protection regime on its own, that forbids hunting (law no. 8906, date 06.06.2002 “on the protected areas”). Still, the hunting moratorium increased the cooperation against illegal hunting between RAPA, State police, and border police. Since the staff of the RAPA is not allowed to confiscate guns and charge fines, they are depending on a functional cooperation with the law enforcement institution. RAPA cooperates with the Reconstruction Credit Institute (KfW), the national NGO INCA & The German Corporation for Cooperation (GIZ) GmbH to implement the hunting ban. In particular, the international organisations provided funds and training to educate the RAPA staff on all kinds of biodiversity issues (PrespaNet 2017). The state did not provide any additional support, neither financial means nor equipment. The area that they are in charge of consists of 27,000 hectares and seven people are in charge of monitoring it (pers. comment Vasil Male). The amount of illegal hunting that he reported was considerably low, with only two cases during 2017. When asked about the motivation of the people in the area, he replied that they hunt as sport and for trade. He added that of course, they also eat the animals that they shoot, but it is not their main source of motivation and they are not depending on it. He lined out that the moratorium brought ecological improvements that were showing that the hunting pressure in Prespa had been reduced, e.g. rabbits and wild boars are sighted more often close to human settlement, a sign that they have lost their fear of humans. Moreover, birds are flying closer to the streets and the shores of the lake. When asked about the attitude of people towards the moratorium he just replied that people will follow if the controls are strict enough, which apparently they are at the moment.

4.5 Nivica

On the 18th of November, a field trip to the village of Nivica and its surroundings was carried out. Nivica is located in the Southern highlands in upper Kurvelesh and part of the municipality Gjirokastrë. It does not have any protection regime. Aim of the field trip was to find a suitable spot to build a feeding station for the critically endangered Egyptian Vultures (*Neophron percnopterus*), that

are nesting in the area. The village itself is located in a remote area, accessible only by a steep gravel road. No activities or traces of hunting were observed. An informal conversation with one of the villagers provided insight about the status of hunting in the area, though. He was aware of the hunting ban. According to him, it only had the effect that hunters from outside the region are not hunting there anymore. Still, for the local people it did not change anything. They go hunting the same as before and there has never been a control.

4.6 Shalë

From the 19th until the 21st of December, a field trip to the former municipality Shalë, located in the surroundings of Lotaj, took place. Due to the territorial reform in 2015, Shalë became a subdivision of the municipality Shkodër (law no. 115/2014). The visited area does not have a protection status. The trip was dedicated to set up wildlife monitoring cameras to find out if the Balkan lynx (*Lynx lynx balcanicus*) is present in the area. Furthermore, the aim was to explore and promote opportunities for sustainable eco-tourism in the region. The area belongs to one of the remotest in Albania. Compared to the other regions that were visited to assess the implementation of the hunting ban, hunting activities were clearly visible to a greater extend. When crossing Mount Shoshi, we passed a vehicle manned with four hunters in camouflage and with guns in their hand. When we reached the peak of the mountain, we saw another hunter with a zagar disappearing in the woods. Our host informed us that three to five active hunters live in the area, most of the people that hunt in the surroundings come from Shkodra. To his knowledge, there never was a control in the region and in his eyes, the ban does not have any impact. On the next morning, we saw a hunter with two zagars, in the afternoon we saw another one with a semi-automatic rifle. He was willing to talk to us. He told us that before the ban, he was a member of the Shkodër hunters association. Currently, he does not have a licence but still goes hunting, but only during the winter. He showed us the type of bullets he is using and said that he is mainly hunting hares and wild boars. He confirmed as well that there has never been a control in the area and remarked that the police would not come if someone would report it. Beside of the sighted hunters, some cartridges were found. The hunting traces and activities are listed in the table below. The following two pictures are illustrating recent hunting activities on Mount Shoshi.



Fig. 9 Hunted wild boar in the region



Fig. 10 Hunted fox in the region

Assessing the effectiveness of the hunting ban in Albania

No.	Date	Region	Coordinates	No. of cartridges	Traces	Type of hunting (shot, trapped etc.)	Species
1	19.12.2017	Shalë	0396105/ 4675979		4 hunters with rifles		
2	20.12.2017	Shalë	0396371/ 4677024		One hunter with two zagars		
3	21.12.2017	Shalë	0396371/ 4677024		One hunter with a rifle		
4	21.12.2017	Shalë	0400327/ 4679413	3			

Table 5: Field observation form Shalë

5 Summary - implementation on site

Between October and December 2017, six regions in Albania were visited in order to gain insights into the level of implementation of the hunting ban on site. Out of those six sites, two (the Divjaka-Karavasta and Prespa National Park) showed good results concerning the level of implementation, nearly no hunting activities could be observed or were reported. Both areas are part of the List of Wetlands of International Importance as defined by the Ramsar Convention (Ramsar 2018). Those areas belong to the network of protected areas in Albania. Because of that, they are under the supervision of the in 2015 newly established NAPA and are controlled and managed by their subdivision, RAPA (NAPA 2015). As the government did not provide any additional funding to increase capacities and to buy equipment, they have been relying on the support of various projects of national and international NGOs and organisations (PrespaNet 2017, JICA 2011). National NGOs that provided trainings and acted as ‘watchdogs’ were, among others, PPNEA and ASPBM (ASPBM 2017, PPNEA 2016b). During the expert interviews, the importance of reliable, qualified, and incorruptable people in responsible positions, like the director of the Divjaka-Karavasta National Park, was mentioned. By installing strict controls, he successfully reduced the hunting pressure within his territory. This shows that it is crucial to have people in the field that are willing, qualified, experienced, and in the right positions to enforce the law. The Skadar Lake Nature Park, which is also managed by the RAPA, showed a significant amount of hunting traces. Although there is a lower level of protection at this site (IUCN Category II), hunting is generally forbidden there, independent from the hunting ban (law no. 8906 “on the protected areas” 2002). Still, compared to the time before the ban, the hunting pressure seems to be reduced. The problem there is not resolved, though, taking into consideration the findings of other NGOs (ASPBM 2017). On the three other sites that were visited (Nikaj-Mertur Regional Nature Park, Nivica, and Shalë) hunting activities were either clearly visible or were reported to a great extent by locals. The three sites have in common that they all are in remote areas and that there has not been a single control since the ban was enacted. Here, the protection level does not seem to have an impact, considering the findings in the Nikaj-Mertur Regional Nature Park. There, the wildlife camera traps recorded 11 hunters and 12 hunting dogs at five locations between July and November. Overall, 13 locals were interviewed concerning the functionality of the ban on site and their opinion on the ban itself. From those 13 people, six were locals without any particular involvement in hunting activities. Four were hunters and three belonged to the RAPA staff on site. The RAPA staff showed a positive attitude towards the ban. All of them stated that the implementation works well within the protected areas. However, they recognized that the implementation does not work everywhere, in particular outside of the protected areas. Nevertheless, it has to be considered that their answers might be

biased, as they are in charge of enforcing the ban and my findings and reports of environmental NGOs proved to a certain degree that hunting activities were taking place within the protected areas (ASPM 2017). Still, the situation was mostly more regulated than outside of the protected areas. Environmental NGOs were repeatedly remarking that there is a need for further capacity building of the RAPAs in terms of education, equipment, and amount of staff responsible for the territory to properly fulfill their duties (Lleshi & Buhajoti 2015). Unfortunately, the protection of those areas is rather fixed on paper than reflected in reality (Pacara & Kalemaj 2010). The locals, especially in the remote areas, were rejecting the ban, as the lack of enforcement was making it redundant in their eyes and a proper implementation of the former hunting laws would be enough to regulate hunting activities. The four hunters were aware of the illegal nature of their activities, but as their actions do not result in any negative consequences, they do not care about the ban. Still, a positive impact of the ban reported from all of the sites was that it scared off foreign hunters because it restricted the market for hunting tourism. To sum it up, those areas where the hunting ban was successfully enforced had the following features:

- They were protected by several protection regimes.
- They were controlled by the RAPA.
- They had reliable, responsible, and incorruptible people in power to ensure proper enforcement.
- External funding was vital to equip and educate the staff in charge as the government did not provide sufficient funding.

In the following, the action plan of the Ministry of Environment and its implementation will be discussed.

6 Action Plan 7496 on the Implementation of the Hunting Moratorium in Albania

The Ministry of Environment provided a draft of the Action Plan 7496, which is specifying the steps to be taken to implement the hunting moratorium in Albania (MoE 2016). It is solely focussing on the first period of the ban (2014-2016). For the second period (2016-2021), no data on the success of the implementation and no action plan was provided by the Ministry. The first period of the hunting moratorium was approved on the 30th of January 2014 by the Parliament of Albania and entered into force in March 2014. At first, the action plan specified the channels of communication to the respective structures in charge of implementing the ban and to the broader public. To address those structures, a meeting with representatives of the MoE, its inspection structures, leaders, and representatives of environmental NGOs, hunting federations, and tourist hunting entities, university structures, and scientific research, etc. was set up. They received information regarding the implementation of the hunting moratorium, its action plan, and the planned review and improvement of the legal framework for hunting. Furthermore, the law was distributed to the relevant structures in the 12 districts of Albania. The broader public got informed through the participation of members of the MoE on TV shows. Furthermore, they published the information on their website. Working groups had been set up in all 12 districts to control the implementation of the ban. Those working groups were coordinated by the Directorate of the Forestry Police Inspectorate and consisted beside of the responsible structures on site of members of hunting associations and commissioner's offices. The arms seal process, considering the high amount of illegal weapons existing in Albania, was seen as a key element to ensure a functionality of the ban. To achieve this, the Ministry of Environment was seeking cooperation with the Ministry of Internal Affairs, as the ministry responsible related to all weapon issues. The Ministry of Internal Affairs rejected their proposal by stating "*..that the problem of hunting*

weapons is resolved by Article 37 of the Law "On Weapons" (MoE 2016). This article only defines for which purpose the carrying of a gun in public is allowed (law no.74/2014 "On Weapons"). Still, the inspection structures of the two ministries cooperated to implement the moratorium. The achievements of the joint controls in 2014-2015 are listed below.

- The Forestry Inspectors conducted about 650 hunting inspections;
- 44 fines for illegal hunting were imposed in total, worth 3.2 million lek.
- More than 600 pieces of hunting weapons were seized in cooperation with the State Police.
- In Lezha County, 10 cases of illegal hunting were found by the ISHMP Police Inspectors and administrative sanctions were imposed for 350 thousand ALL.
- In the district of Berat, , five cases of illegal hunting were found by the ISHMP Forestry Inspectors and administrative sanctions were imposed for the amount of 10 thousand lek and in two cases were sent for criminal prosecution.
- In the district of Durrës, two cases of illegal hunting were found by the ISHMP Forestry Inspectors and administrative sanctions were imposed for 160 thousand lek.
- In the district of Berat, , seven cases of illegal hunting were found by ISHMP Forestry Police Inspectors and administrative sanction measures worth 480 thousand lek were taken and one case was sent for criminal prosecution.
- In the Korça Region, , seven cases of illegal hunting were found by the ISHMP Forestry Inspectors and administrative sanctions were imposed for 410 thousand lek.
- In the district of Gjirokastra, six cases of illegal hunting were found by the ISHMP Forestry Inspectors and administrative sanctions were imposed for the amount of 520 thousand lek.
- In Vlora Region, five cases of illegal hunting were found by the ISHMP Forestry Inspectors and administrative sanctions were imposed for the amount of 460,000 ALL.
- In the district of Elbasan, two cases of illegal hunting were found by the ISHMP Forestry Inspectors and administrative sanctions were imposed for 160 thousand lek.

However, only in the last two months of the first period of the moratorium, 1507 cases of illegal hunting have been evidenced and documented by the two Albanian environmental NGOs PPNEA and ASPBM (MIO-ECSDE 2016). This drastically shows that the controls were loosened. To control and ensure the functional implementation of the ban, it was planned to establish a surveillance-signaling network of "alarms" for any case of violation of the moratorium to make an inventory of hunting trophies evidenced in local restaurants, etc. and to set up a database for this issue. Beside of the results of the controls above, no additional data was provided by the Ministry about the realisation of those plans. Furthermore, a complete inventory of species of wild fauna and hunting facilities was targeted. In February 2016, the MoE approved a common methodology for the registration and inventory of species. The guidance for the methodology was drafted by the Directorate of Biodiversity and Protected Areas, following a long consultation process, cooperation, and contribution from specialized NGOs in the field of wild fauna, with local and foreign scientists and experts. Among the most prominent were the PPNEA & Birdlife Europe Association, ornithologist Taulant Bino, and foreign experts of the IPA 2013 NATURA 2000 project. The draft was consulted with the Faculty of Natural Sciences of the University of Tirana and with the Faculty of Forestry of the Agricultural University of Tirana. The field work was prepared, first with the training of the personnel involved in the inventory and monitoring of wild fauna. Details on the realisation of this training are not given within the action

plan. Still, trainings for the respective structures of the RAPA on the ground were provided by NGOs like PPNEA and INCA. Another cooperation was realised with the Ministry of Finance on issues of control, transport, trade, etc. of wild fauna species and to control the border crossing and trade of species protected by international conventions. The respective structures got informed about the requirements of the legal framework and the requirements of international conventions, especially CITES, regarding transport and trade of protected species of wild fauna. The cooperation with these structures consisted of meetings, contacts, and joint controls. The Ministry of Environment was aiming to achieve an agreement with the National Food Agency to implement food controls to detect and prevent the use of illegal wildlife products in restaurants. In the end, 10 controls were conducted to prevent and to block the supply of wildlife. The serving of wildlife dishes seems to remain a major issue and is fueling the demand for illegal wildlife products as explained by Zamir Dedej, the Director of the NAPA who said:

“People are not listening to this law. An example for that is the serving of wild fauna in restaurants. It is forbidden by the law on biodiversity and the controls would be an obligation. But no one is controlling if the wild fauna is certificated by resources. This is an additional incentive for illegal hunters to go hunting because they can sell it at the restaurants.”

The last aspect specified in the action plan is the review and update of the national legal framework for hunting. For this, six targets were specified:

1. Amend the Law "On hunting"
2. Review of hunting fees
3. Drafting of the national hunting development program
4. Drafting of the national wildlife monitoring program, hunting facility
5. Review of hunting areas
6. Drafting of annual usage plans for each hunting zone, in accordance with the deadlines set out in the amended law

Regarding the first target, they started working on drafting amendments to the law “On Hunting”. Several meetings and preliminary consultations were carried out for this purpose, including a public hearing. Finally, during the first period of the hunting ban, no amendments were approved by the parliament. The current legislative processes on this issue are extensively presented later on. For the other five targets, certain meetings and consultations were held, drafts were provided but they have not been approved until now. More details on the steps taken are specified within the draft action plan that can be requested from the MoE. The action plan and its documentation show that the MoE lined out an ambitious plan to solve the issues related to hunting activities. A lack of permanent cooperation between the responsible ministries thwarted parts of their ambitions, most importantly the sealing of illegal weapons. Nevertheless, even until now, approximately four years after the drafting of the action plan, key aspects for a functional and sustainable hunting system are still pending, most importantly the implementation of a functional monitoring and management of wildlife.

7 Results - expert interviews

In the following, some key results of the expert interviews are presented. The opinions of the experts on the current functionality of the implementation of the ban ranged from a nearly total dysfunctionality stated by the representatives of the hunting sector (pers. comment Themis Perry/Hakim Zoto) to governmental representatives that were stating that it works well in the centre of Albania and in the protected areas and that it is less positive in the extreme South and North, in particular in remote areas (pers. comment Zamir Dedej/Elvana Rama). Nevertheless, they were

pointing out that the territorial reform in 2015 and the decentralisation of the forest management shifted the responsibility concerning the hunting management to the LGUs (pers. comment Elvana Rama, USAID 2015). This responsibility has not been addressed properly and the LGUs have not had the capacity to deal with the hunting management until now. To solve this issue, the legislative framework has to be revised to avoid overlapping responsibilities. The general elections that were held in 2017 were pointed out as another factor (pers. comment Elvana Ramaj), as this often results in an exchange of staff in all positions, ranging from the institutional level to the authorities in charge of implementing the ban and their staff. The political appointment system hinders the functionality of the environmental sector on all levels (Crossett & Bako 2015). This often brings people into positions where they do not have the sufficient educational background to properly fulfil their tasks (pers. comment Andrian Vaso). Furthermore, low salaries and insufficient equipment provide a low incentive to seriously enforce the law, especially implementation structures like the Forest Inspectorate in unprotected areas and the RAPAs in protected areas. They might lose their job when the party in power changes, leaving them unemployed among those people that they sanctioned (pers. comment Goran Gugic). Most of the conservationists shared the opinion that the enforcement of the ban does not work, especially in the unprotected areas (pers. comment Bledi Hoxha/ Klodian Ali/ Taulant Bino). Still, it was occasionally acknowledged that the RAPAs within some of the protected areas are making progress and increasingly engage in monitoring activities (pers. comment Goran Gugic). This has to be the basis to develop a quota for huntable species in the long run. What is important to mention is that none of the actors saw the ban itself as a long-term solution. Moreover, it was a means for the government to buy time, to put a functional legislative framework and hunting system into place. It was common ground that they did not achieve this during the first period of the ban. Nevertheless, some actors are seeing more progress during the second period due to the improvement of the work from the RAPA in some regions. The situation outside the protected areas remains unsolved. Furthermore, the legislative reform was remarked as a positive step in the right direction. Still, it was generally stated that the crucial aspect for a functional hunting ban and in the end a sustainable wildlife management is the level of implementation in the field, which still needs a lot of improvement. The sealing of illegal weapons would have been a key activity to restrict hunting activities. This was targeted by the MoE but due to a lack of cooperation between state structures it was rejected by the responsible Ministry of Internal Affairs. The selling of illegal wildlife products in local restaurants and keeping caged wildlife animals for entertainment was pointed out as another issue that has not been properly addressed. It is fueling the demand for wildlife products and is giving people further incentive to go hunting illegally. Some actors were also doubting the motivation of the government to enforce the ban, since people in power like judges and governmental officials still engage in hunting activities (pers. comment Ferdinand Bego). They were repeatedly pointing out that nepotism and corruption are hindering the functionality of state structures on all levels. Still, as a core achievement of the ban, same as reported from the locals, the experts were acknowledging the positive effect of the ban regarding the elimination of the hunting pressure from foreign hunting tourism.

8 Monitoring legal reform on hunting

8.1 UNDP process - amendments of environmental laws

In 2017, two legislative processes started that, depending on their outcome, might have an impact on the upcoming hunting legislation in Albania. The first process is consulted and supported by the UNDP and initiated on the request of the MoE. Aim of this process is to screen and to revise relevant Albanian environmental laws with regard to their consistency with EU Directives, namely the Bird and Habitat Directive and the Convention on International Trade in Endangered Species of Wild Fauna and Flora

(CITES). A focus was put on the legal acts of wild fauna conservation and hunting. This is a further step for Albania to meet the criteria for membership in the EU. With their assessment, the UNDP provides assistance to the Ministry of Environment and Tourism regarding the amendments of the two laws.

The second legislative process is the proposal of a draft law by The Albanian Federation for Hunting and Conservation (FKSHGJK), aiming to lift the current ban on hunting and to give them the main responsibility to manage and monitor the hunting game in Albania. This process will be explained later on. First, we will have a closer look at the UNDP process.

For their project on Environmental Monitoring, the UNDP has contracted two national experts since February 2017, one on legal issues, Dr. Erjon Muharremaj, and one on natural science issues, Dr. Andrian Vaso, as well as an international legal expert, Nienke van der Burgt. They have been working on the following legal acts on Wild Fauna Conservation and on Hunting.

- Law no. 10 006, dated 23/10/2008, On the protection of wild fauna
- Law no. 41/2013, On some amendments and addenda to the law no. 10 006, dated 23/10/2008 "On the protection of wild fauna", as amended
- Law no. 10 253, dated 11/03/2010 "On hunting"
- Law no. 43/2013, On some amendments to the law no. 10253, dated 11/03/2010 "On hunting"

Further laws and bylaws, "On protection of biodiversity" and "on protected areas" together with their amendment, have been included. Those laws are relevant for the transposition of the EU obligations in relation to wild fauna protection and hunting (UNDP 2017a). The aim of their assessment was to reveal inconsistencies of the national legislation of Albania with regard to the above mentioned Habitat and Birds directive as well as the CITES regulation. The gap analysis sums up their findings:

"Overall, the key obligations on wild life protection and hunting have been effectively transposed. However, certain gaps have been identified and the applicable legal framework remains unclear regarding specific legal measures and concepts due to the fragmentation of rules, different use of terms (deviating from the Nature Directives) or the repetition and overlap of relevant provisions. It is therefore not always clear what is the applicable legislation while certain aspects of the EU legislation are not covered." (UNDP 2017a)

An interview with one of the three experts and authors of the gap analysis, Dr. Andrian Vaso, explained how the whole process was undertaken. In the beginning, they went through a screening process of the existing legislation trends, to identify the relevant laws to be worked on. Which resulted in focussing on the law "On the protection of wild fauna" and the law "on hunting" together with their amendments. In a second step, it had to be clarified with the central authority, the MoE, if the process should lead to an amendment of the existing laws or if it should foster a new legislation. At this time, it was decided to strive for an amendment. After that, the experts defined which parts had to be elaborated. Here, the focus was not solely put on the content itself but also on the wording. They acknowledged that some words in the Albanian language or at least in the wording of the laws were used synonymously, even though they had a significantly different meaning. This might lead to misinterpretations and could have an impact on the proper enforcement and implementation of the law. As an example, the expert was stating that sometimes conservation and protection was used synonymously. For him, protection is the basis of preservation, whereas conservation includes the monitoring and management component. This process resulted in the first product, the gap analysis. Based on the gap analysis, the suggested amendments were included to see how much the changes would impact the current laws. This was presented to the MoE and then in a second step to the

relevant stakeholder groups. There were three public hearings in the format of round table technical discussions to present the result of the gap analysis and to consult relevant stakeholders, with the aim to consider their expertise and opinions on the suggested amendments. For the first hearing, that took place on November 8th, 2017, protagonists from the environmental sector, the expert referred to them as the “Conservationists”, were invited. The NGOs (PPNEA, AOS ASPBM), Natural Science Experts from scientific institutions and universities, representatives from the MoE, and the two national authors of the report were present. The second public hearing was held in the following week, it was set up for representatives from the hunting sector. Here, it has to be mentioned that the FKSHGJK, representing a great part of the hunters community in Albania, refused to cooperate and take part in the discussion. They oppose the approach of amending the existing laws and instead propose a new draft law. The expert was stating that they approached the Federation and encouraged them to take part, but they were refusing to cooperate, stating that they saw this process as a “*knife in their back*” (pers. comment Andrian Vaso), opposing their draft law. Since the author of this report was not present at this event, figures on attendance and details on the event cannot be delivered. On the 15th of December, the third and last round table technical discussion took place. This time, both stakeholder groups were invited, the “Conservationists” and the “Hunters”. During this meeting, a draft with the planned amendments on the law “on hunting” was presented. The proposed changes were based on the results of the former public consultations and the above mentioned gap analysis. Those changes were open for discussion. Here, it has to be mentioned that some of the attendees had an advantage, as they had received the amended law with the suggested changes in advance. In particular, actors from the hunting sector representing the Federation of Sportive Hunters and Anglers were well-prepared with a wish list demanding changes throughout the law. During the meeting, it became obvious that the hunter community is largely fragmented and estranged. They were dominating the discussions with continuing fights among them, depicting their disagreements on the handling of the hunting subject. This fragmentation does not seem to be the case only for the hunter community as the UNDP gap analysis pointed out in their final remarks that:

“fragmentation is noticeable not only in the number of laws that were mentioned above, but also in their continuous amendments, which create confusion and difficulty in their implementation. Also, fragmentation is present among the interested parties, too. There are currently two different entities that claim to represent the interests of hunters: the Albanian National Federation for Hunting and Conservation, and the Federation of Sportive Hunters and Anglers, which cannot manage to unify their positions and agendas and speak with a single voice.” (UNDP 2017b pp.131)

Compared to the first meeting, the attendance of actors, in particular of the “Conservationists”, had dropped dramatically. This meeting was clearly dominated by representatives from the hunting sector in numbers as well as their involvement in the discussion. Considering that this had been for now the last public consultation, most “Conservationists” (beside of one representative of PPNEA) missed the chance to comment on the draft of the amendments of the “on hunting” law and to actively participate in the discussion to shape the law. Among other topics, it was controversially discussed if hunting as a touristic activity should be dismissed. This is not surprising, considering that the unregulated hunting tourism was seen as a key factor for the critical status of wildlife in Albania. Furthermore, the differences between amateur and professional hunters, the age when people should be allowed to hunt, and the lack of enforcement and penalties towards restaurants that still sell dishes with illegal wildlife products were in the focus of discussion. Considering the last point it was mentioned that the lack of enforcement was giving people an incentive to disobey the law. During an informal conversation with the international expert Nienke van der Burgt, she remarked that considering that the process was solely focused on the legislative framework, the discussion on that day was more focused on the responsibilities concerning monitoring and management than the legal framework. In addition, the national expert was pointing out that the crucial aspect of the whole law lays at the level of

implementation and not the legislative level. The hardened fronts between conservationists and hunters were also clearly present in the discussions.

In the preface of the law, it is described what the law is aiming for:

- a) Establishing rules and requirements for the development of sustainable hunting as a traditional, sporting, recreational and tourist activity, as well as to enable the protection of wild fauna and the preservation of biodiversity;*
- b) providing mechanisms for sustainable hunting management by assessing wild fauna as a national asset that is administered and protected by law;*
- c) Establishing monitoring and control measures with a view to ensuring that hunting principles are strictly enforced while maintaining the ecosystem's totality and ecological balance;*
- d) non-injurious nature of wild fauna and their habitats during hunting;*
- e) respect of the right to hunting and hunting rights, trophies and hunting products and their trading;*
- f) Encouraging the involvement of hunters in monitoring, management and research with a view to the care and conservation of wild fauna and their habitat;*
- g) Encouraging cooperation between hunters and other stakeholders in the conservation and management of wild fauna and their habitat.*

(Draft law On Hunting 2018)

In addition to the above mentioned focus of the law, it has to be remarked that the decentralization process, that shifts the responsibility on hunting from the central to the local government, is acknowledged in the law without going too much into detail, as the structures still have to be established. Here, it has to be pointed out that no representative of a Local Government Unit was invited to the round table technical discussions. Taking into account that the management of wildlife falls into their responsibility, they should be consulted and included in the legislative process and not only be informed about the outcome of the final law.

It has to be pointed out that the last round table technical discussion was not only meant to be focused on the "on hunting" law, but also on the planned amendments of the law no. 10 006, dated 23.10.2008 "On the protection of wild fauna". Unfortunately, a discussion of this law did not take place due to time issues and the lack of interest in particular of the representatives of the hunting sector. They immediately left after the discussion on the "On hunting" law. This gave an insight into their main focus. An informal conversation with one of the national experts provided the information that the MoE is considering to draft new laws instead of amending the existing laws as planned, since *"almost 80 per cent of the legislation articles were changed or there are changes"* (pers. comment Andrian Vaso). If a new draft law is made, it has to be sighted and commented on by the different ministries. Finally, it has to be approved by the parliament before it can be enacted.

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The following table gives an overview of the round table technical discussions and their attendance.

Date	Event	Attendees
08.10.2017	Round table technical discussion on the amendments of the relevant laws with the "Conservationists" Presentation of the results of the gap analysis	6 representatives national NGOs (e.g. ASPBM, AOS, PPNEA) 1 Natural Science Expert from the University of Tirana 4 representatives of the Ministry of Environment and Tourism 1 Journalist 2 UNDP staff 2 Authors of the Gap analysis (national legal and natural science expert)
15.10.2017	Round table technical discussion on the amendments of the relevant laws with the "hunters"	representatives of the hunting sector
15.12.2017	Round table technical discussion on the amendments of the relevant laws, taking into account the results of the former round table discussions	4 representatives of the Albanian National Federation for Hunting and Conservation, and the Federation of Sportive Hunters and Anglers 3 representatives of the Ministry of Environment and Tourism 2 representatives of national NGOs (PPNEA) 3 authors of the Gap analysis (national and international experts)

Table 6: Round table technical discussions and attendance

8.2 Draft law by The Albanian National Federation for Hunting and Conservation

The second legislative process was initiated by The Albanian National Federation for Hunting and Conservation, (alb. Federata Kombetare Shqiptare per Gjueti dhe Konservim / FKSHGJK), claiming to represent a big part of the hunters community in Albania. The Federation has existed for 67 years and 61 Albanian hunting Associations are part of it. They have been a member of Federation of Associations for Hunting and Conservation of the EU (FACE) since 2004 and of the International Council for Game and Wildlife Conservation (CIC) since 2008. In total, they have 12,000 - 15,000 hunters as members (pers. comment Themi Perry). The number of registered hunters in Albania sums up to approximately 15,000. It was not possible to retrieve an exact number of the overall registered hunters, neither from the MoE nor from representatives of the two biggest Federations, the FKSHGJK, and the Federation of Sportive Hunters and Anglers. Even when considering the number as a rough estimation, this leaves a huge gap to the approximately 150,000 illegal weapons. The number of illegal weapons owned is based on the information given during the expert interviews. Another study comes to the conclusion that the number heads up to 200,000 weapons (Guenav et al. 2006), illustrating that it is difficult to name exact figures. Considering the 150,000 weapons as a realistic estimation, this would leave only one out of ten weapon owners as a registered hunter. The FKSHGJK was in favour of the first period of the hunting moratorium (2014-2016) and actively supported it. On the 15th of August 2014, at the beginning of the hunting season, the hunters gathered and their guns were collected and the hunting authorizations were cut off (COPATE 04/2017). Still, in their perception the MoE missed to take necessary steps in time to reform the hunting management. Themi Perri, the Director of the Federation, stated that the moratorium means for him *"incapability of the government to properly enforce and implement the law"* (pers. Comment Themi Perri). From the beginning, people in power were excluded from those restrictions and as the general controls were loosened during the second year of the moratorium, people engaged more in illegal hunting. The registered hunters felt that the moratorium played out as a disadvantage for them. Due to that, they were opposing the approach to extend the moratorium for another five years (2016 - 2021). After the second period was approved by the parliament, they took legal actions against the MoE to lift the ban. Their main argument for the repeal of the law was that it

would be incompatible with the Albanian Constitution as it would deny the legal hunting right and decrease the economic activity for commercial hunting materials. On the 9th of March 2017, the court rejected their demands and decided to maintain the hunting moratorium (pers. Comment Elvana Rama). On the 4th of April 2017, during a hearing in front of the Committee on Production Activities, Trade and Environment of the Government of Albania (COPATE), they presented their idea of drafting a new hunting legislation. In order to generate this idea, they looked at other European hunting laws (the laws of Portugal, France, Italia, Slovenian, Croatia, Macedonia and Greece). In particular, the laws of neighbouring countries in the Balkans, that share a similar cultural heritage and geography, seemed adequate to them for the Albanian context. They decided on the Croatian law as a role model as it would be most similar concerning biodiversity, flora, fauna, and the species composition. The Federation got encouraged by the commission to provide a draft law (COPATE 04/2017). A second hearing on the 3rd of October took place. Here, the main changes of the draft law with regard to the existing but currently suspended hunting legislation, namely the law "On hunting" from 2010, were presented by their proposers, the deputies and Members of Parliament (MPs), Eduard Shalsi, Besnik Bare, and Erion Brace (COPATE 10/2017a). They made clear that the law was made from the *"Gentlemen [from the FKSHGJK] that are the group that has made about 98% of the proposals we have debated ... We [Eduard Shalsi, Besnik Bare and Erion Brace] are not the drafters of the law, but we are merely reflecting their concern and put it on the table for improvement."* (COPATE 10/2017a). It was deposited to the Albanian Parliament on the 20th of September. In the following, key aspects of the draft law are elaborated. The information is based on the transcripts of the Commission hearings that are publicly available. Furthermore, it was cross-checked with the draft law. The draft law strengthens the role of the FKSHGJK as the only federation delegated by the State to organize and develop hunting activities. This includes activities such as management plans, hunting tests, hunting permits, hunting areas designations, control of touristic hunting activities, fees and rental of certain areas. Another important novelty is to allow hunting guard services. In many cases, the proposal suggests that hunting and area-setting permits should be done by the federation itself. Furthermore, for the first time with the changes made, the possibility is left open that coastal wetlands can be partially used as hunting grounds. Article 11 of the draft law specifies the places where hunting is banned from. Same as in the law "On Hunting" from 2010, coastal wetlands which serve as habitats for migratory birds are excluded from hunting activities. However, the draft law allows in the same article that up to 30 per cent of their total area can be used as hunting grounds. In addition, the Federation would have the right to propose the seasons of hunting, including opening and closing them, to the minister. Beforehand, the hunting seasons had to be approved by the Council of Ministers, now it would be solely decided by the responsible minister. A critical topic discussed at the hearing was whether touristic hunting should be allowed or forbidden. The draft law stipulates that hunting tour operators, when organizing hunting trips, should definitely sign agreements with the federation, giving them the exclusive right in the management of hunting activities in this field. Bledar Flagar, a hunter and representative of the online group "Gjuetia, pasion i lindur" ("Hunting, born passion"), was raising the concern that initially, touristic hunting was the main factor in the first place that caused damage to the Albanian wildlife which was leading to the need for a moratorium. He pledged to forbid touristic hunting activities completely. He was also present at the third round table technical discussion of the UNDP, engaging in the discussion. To give the Federation the full power with regard to hunting as they demand it in their draft law, has been critically judged by the commission. This criticism, refers to the law about NGOs (law no. 8788 On Non-Profit Organizations 2001) which states that no organization should have an advantage over another. They made clear that important competences have to stay within state structures.

"The draft law does not make substantial changes to the existing law, but only makes a transfer of competences from one party to another, or from a state body to a subject that is essentially an NGO, an association (...). The reason why these competences are granted to state bodies is because the state, through its own mechanisms and through the democratic representation of the will of the people,

guarantees the right resolution of the problem in question, which cannot be delegated to an NGO.” (COPATE 10/2017a)

Bledar Flagar also argued against a preference of the Federation over other hunting actors:

“Why this federation and not the other? I'm not with anybody. So, who is to say that a party is better than the other, and let's fill the 100 per cent parliament with the Socialist Party. Without opposition, no democracy, no democracy has no development. Granting this exclusive right to only one party is not only harmful, but is introducing a straight path. I am the representative of a Facebook group, we gathered about 10,000 people for a year as a result of not reporting our interests in any of the existing associations because we lack a law to regulate our democratic and just representation in these associations. This is an irrefutable defect in the law.” (COPATE 10/2017a)

He was also emphasizing that a cooperation between hunters and conservationists should be mandatory by law, using the expertise of both parties on wild fauna issues and to increase control among each other. He made clear that he would expect the hunters to act irresponsibly if not controlled (COPATE 10/2017a). The lack of communication and coordination within the government was illustrated by the fact that the commission proposing the draft law was not even aware of the process to revise the national legislation on hunting until October which was initiated in February by the MoE (COPATE 10/2017a). The draft law puts a focus on hunting as an economic activity, arguing that in the long run, the money would benefit nature conservation and would offer the state and the LGU's another source of income through taxes. Throughout the hearing, it was estimated that the hunting activities in the third year of implementation could generate an financial flow of 12 million Euros (COPATE 10/2017a). The commission made it clear that they are interested in further stakeholder engagement and that *“There is no hurry to pass the bill the following week or next month. We will give the bill time as much as is needed and we will not pass without convincing everyone that we are making a proper decision.”* (COPATE 10/2017a)

On the 24th of October, a third hearing, requested by the two environmental NGOs AOS and ASPBM, was held. Beforehand, those and other environmental NGOs had sent a letter on the 13th of October to the commission, raising the concern that the draft law would be disproportionally privilege one stakeholder, the hunters community, above the others and that it would give them illegitimate policy making competences (COPATE 10/2017b). They were arguing that if the draft law would pass, this would play out as a disadvantage for nature conservation in the long run. During the hearing, they made it clear that the draft law contradicts the national and international legislation on biodiversity and protected areas, that is in force and ratified by the Albanian state (e.g. Ramsar Convention). Furthermore, they proposed to counsel all relevant stakeholders to achieve an outcome that would be agreed among all parties, increasing the chances for a successful implementation. They also emphasised that a monitoring of the hunting species would be a necessary precondition to determine the species and number of animals to be hunted. Interestingly, here and in the previous hearing, the Commission framed the proposal of the draft law as a provocation to the MoE in order to build up pressure to start the revision of the existing hunting legislation. For them, a result that would include the good parts of the two current legislative processes seemed to be a desirable outcome. The Commission was again stressing the need for a functional system to licence and control guns.

In order to identify, if the current legislative processes incorporate relevant criteria to achieve a sustainable wildlife management, the principles for developing sustainable wildlife management developed by the Food and Agriculture Organisation of the United Nations (FAO) are used as a reference (Morgera & Wingard 2008). This definition of sustainable wildlife management is used, since it is applicable to the Albanian context considering the targeted outcome.

„Wildlife management is the process of keeping certain wildlife populations, including endangered species, at desirable levels on the basis of scientific, technical and traditional knowledge. Sustainable wildlife management adds to this objective the aim of balancing the economic, ecological and social values of wildlife, with a view to protecting the interests of present and future generations. Thus, this concept goes beyond the protection of interests related to hunting and protection for individual species, and rather focuses on wildlife as a renewable natural resource in a holistic way.“ (Morgera & Wingard 2008)

The principles developed by the FAO reflect the relevant international framework in the environmental sector concerning animal and habitat protection as well as public participation (e.g. CITES, CMS, CBD the Ramsar Convention and the Aarhus Convention etc.). Albania is part of all of these international agreements and is aiming to develop a legislative framework that implements their main criteria. In the analysis of the legislative processes, the gaps within the implementation are focussed.

One of the current legislative processes, namely the draft law of the FKSHGJK, does not fulfill the following criteria of the FAO principles for sustainable wildlife management:

Principle 2: Drafting clear and understandable legislation in a participatory way

The drafting of their law proposal was lacking a **participatory** approach, especially with parties outside of the hunters community (e.g. environmental NGOs). Furthermore, it was not consulted with the responsible state structure, the MoE.

Principle 3: Adopting an integrated and multi-disciplinary approach

It does not take into account other environmental laws, it was drafted in a vacuum. It lacks a proper analysis of the existing environmental laws in Albania, resulting in a contradiction between the national and international legislation on biodiversity and protected areas that are in force and ratified by the Albanian state (e.g. Ramsar Convention).

Principle 5: Ensuring clarity in the institutional set-up and inter-institutional coordination

This principle recommends to avoid conflicts of interests due to the *“mixing of management / commercial activities and control functions in the same (public or private) body”* (Morgera & Wingard 2008). The draft law gives the FKSHGJK an illegitimate monopoly concerning the controlling, management, monitoring, and economic activity related to hunting, neglecting the need for a division of power.

Principle 7: Guaranteeing public participation in decision-making

The draft law does not sufficiently include participatory approaches, for example for the opening and closing of hunting seasons, annual setting of hunting quotas, or accounting of hunting revenues.

Beside of the lack of fulfilment of relevant criteria on the legislative level, all experts pointed out that the FKSHGJK has to significantly improve the level of environmental education of their members. The need for improvement was even pointed out by the Director of the Federation himself. Furthermore, disputes within the Federation and in general among the hunters community have to be resolved to increase cooperation, before the hunters can be properly involved in wildlife management. Those conflicts are for example related to a different definition of hunting activities either as an economic or sportive activity, even though the law proposals are acknowledging all types of hunting activities. The UNDP process reflects the FAO principles to a great extent. Nevertheless, it does not fully comply with Principle 2. Compared to the draft law of the hunters federation, they did at least provide round table technical discussions to include stakeholders in the process, but did it only in a final step of the revision of the law. Same as the hunters community, they did not invite the LGUs to those meetings. Still, both proposals acknowledge the position of the LGUs within the laws. A proper participatory approach would be essential to enable a functionality of the legal framework as all actors would have to play

their role in ensuring the implementation of the law, in particular at the local level. The CBD concludes that *“the closer management is to the ecosystem, the greater the responsibility, ownership, accountability, participation and use of local knowledge.”* (CBD 2004).

9 Wildlife management and monitoring

A crucial precondition for a functional hunting system is a sustainable wildlife management which is based on and guided by wildlife monitoring. This monitoring should give an insight into the population status of wildlife as well as the status of its habitat. Since *“It is through a complex network of biotic and abiotic influences that individuals choose and defend territories, select mates and engage in reproduction, and compete for food resources, and avoid predators during the course of their life history”* (Williams et al. 2002: 8). This monitoring should be the basis of developing quotas for huntable species and at the same time ensure the conservation of wildlife. Monitoring methods vary greatly between sampling models and exact counting. Beside other factors, terrain and financial means determine which method is adequate to choose. Scientific literature provides a wide range of methods to assess the status of animal population (Williams et al. 2002: 231). In the last years, Albania underwent several institutional changes that shifted the responsibility of the biodiversity monitoring.

Initially, the law no. 10006, dated 23.10.2008 "For the protection of the wild fauna", defines in chapter VI, article 33, the inventory of wildlife. There, the process and the executive institutions to collect the data in the field are described. The process is directed and organised by the MoE and carried out with the help of NGOs, scientific institutions and associations in charge of the area of biodiversity. Finally, the MoE has to approve the whole process and to ensure that it is in line with EU directives.

In chapter VII, the process of wildlife monitoring is determined. The responsibility to develop a functional biomonitoring program lays in the hands of the MoE in cooperation with the respective universities and associations (article 36). The Environment and Forestry Agency together with relevant faculties and research institutes are in charge of creating a necessary data system, which should be in line with biomonitoring systems used by the European Environment Agency (EEA), and with EU directives (article 37). Beside of publishing the results the agency, *“controls the quality of monitoring, measurement, application of methodologies, qualification of participating specialists, equipment used and the veracity of the results”* (article 38).

The Environment and Forestry Agency was founded in 2006 and evolved into the National Agency for Environment in January 2013 (alb. AKM / engl. NEA), giving them more competencies in the field of environmental impact assessment (Lleshi & Buhajoti 2015). As described above, they are the institution obliged by law to gather the data of biodiversity monitoring in order to assess, control and publish it. An expert interview with the Director of the Forestry Directorate at NEA, Kliti Starja, explained how this process works: They used to rely on the data of the forestry service, which was under the obligation to produce information on the wildlife status of Albania twice a year, in autumn and spring. They reported their findings to the MoE. Before the territorial reform, there were 36 districts with 373 kommunas that have been transformed to 61 municipalities (law no. 115/2014, “On administrative-territorial Division of Local Government Units in the Republic of Albania”). The administration and power with regard to monitoring and forest management was transferred to the municipalities, which now have a forestry office in each municipality. This obligates the municipality, in particular their forestry office, to report their findings to the NEA and the MoE. However, they are in the process of establishing and completing their structures. Until now, they have not produced any data for the annual report. Another source of information was generated through a project funded by

the EU Delegation to Albania, the CEMSA project (Consolidation of the Environmental Monitoring System in Albania). This project established 80 points for biodiversity monitoring, covering the whole of Albania. It was planned to choose a certain amount of those points every year, aiming to cover all 80 points during the time span of four years. The monitoring activities were carried out by third party contractors. Due to a lack of funding, it was not implemented completely (pers. comment Kliti Starja). The information that they gathered is provided in a narrative form in the annual report of the NEA. Another important contribution to the biodiversity monitoring is the annually conducted International Waterbird Census (IWC 2018). Until now, it is the only assessment with a proper methodology which gives a reliable insight into the fluctuation of bird populations in the surveyed areas over time. Still, a great amount of the birds counted during the IWC are migratory birds that do not belong to the native fauna of Albania. Academic institutions, e.g. The University of Tirana are another important source of information as they cover a wide range of biodiversity levels: species, biological communities and ecosystems. In parallel to the territorial reform, the NAPA was founded in January 2015 as the institution responsible for the management of protected areas in the territory of Albania, with their subordinated chambers, the 12 Regional Agency of Protected Areas (RAPA), in charge of managing the protected areas on site (NAPA 2015). It was positively remarked by the NEA that the NAPA is engaging more in monitoring activities in the protected areas and is contributing to the annual reports with their data. An interview with Zamir Dedej, the Director of the NAPA, provided the insight that they are currently working to set up a database, The Biodiversity National Network (BioNNA), which determines the presence of species in Albania. The gathered results are publicly accessible through the website www.bionna.al. It is realized through a Natura 2000 project. In addition, they developed the “Wild Fauna Monitoring System” (WIMS) which counts the amount of animals. Goran Gugic, an integrated expert employed by the GIZ and working at the national environmental NGO INCA, developed a monitoring method for the NAPA that is currently applied to monitor 30 species within the protected areas. Those 30 species consist of 10 species that are on the list of game species in Albania and 20 that are important species for the designation of Natura 2000 sites. The rangers are equipped with a monitoring guideline and six forms to register the following information:

1. General wildlife observation (report of sighted species)
2. Finding of carcasses for genetic and nutriment information
3. Human-wildlife conflicts
4. Illegal activities to identify threats and pressures on protected species
5. Patrol efforts (e.g. planning of patrols, annual plan)
6. Counting of birds (e.g. IWC)

The information is filled out in the Darwin core standard and transferred to the WIMS database. The NAPA provided three regional trainings, in the North, South, and middle of Albania, training four RAPA Units at each session (pers. comment Goran Gugic, INCA 2017). 105 out of 250 employees of the NAPA were involved in monitoring activities. In 2016, 27 sheets were filled out. In 2017, this number rose up to approximately 1500 recordings, showing that their monitoring efforts increased. The requirement to report the conservation status of those areas is defined in article 11 of the Habitats directive. The habitats and species are listed in its Annexes (Annex I defines the habitats, Annexes II, IV and V lists the species). Furthermore, article 17 determines the duty to report the findings every six years to the European Union. Albania has been an accession candidate to the EU since 2014. They are aiming to transpose the requirements of the Habitats Directive in their national law and are in the process of establishment of a Natura 2000 network (European Commission 2016). This underlines the need to establish a common monitoring methodology to fulfil the requirements of the environmental reporting criteria of the EU. The progress of the NAPA in this field is an important step to strengthen the monitoring capacities of Albania. What has to be remarked is that those monitoring activities are solely

focused on protected areas, which cover around 460,060.90 hectares. This sums up to only 18 per cent of the whole territory of Albania (NAPA 2015). In the long run, the monitoring efforts need to be expanded to the unprotected areas to achieve a complete picture of the biodiversity status of Albania. The scientific experts and the NGOs alike remarked that in order to enable a monitoring system outside of the protected areas, there would have to exist a functional cooperation between the hunters community, the conservationists, and the ministry (pers. comment Ferdinand Bego). Unfortunately, the prolongation of the hunting ban had a negative impact on the relationships between the stakeholders, due to the failure of the government of putting a functional hunting system into place. The ban hardened the fronts between the conservationists and the Ministry of Environment towards the Hunting Federation.

10 Stakeholder and SWOT Analysis

The following stakeholder analysis is based on the information received from the expert interviews and the hearings of the Committee on Production Activities, Trade and Environment of the Government of Albania (COPATE). It illustrates the attitude of the different actors towards the ban and their influence on it. In addition, the lines connecting them give an insight into the status of the relationship between them.

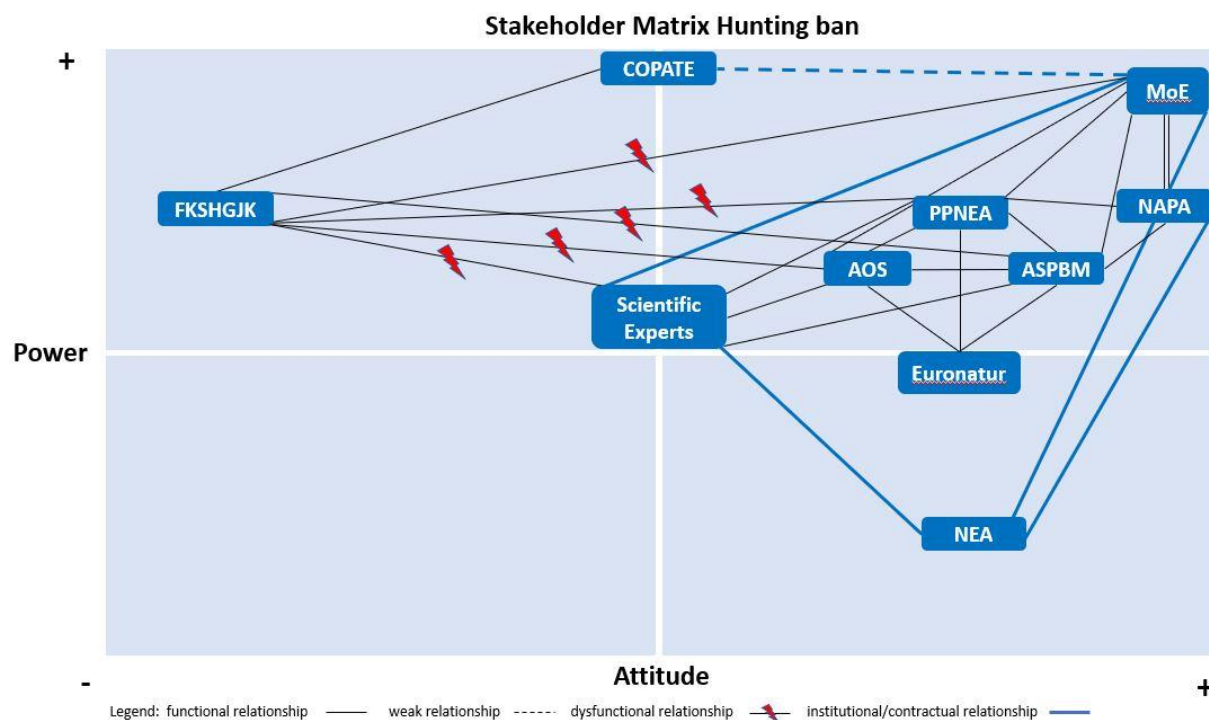


Fig.11 Stakeholder Matrix (see Mitchell et al. 1997), Net of Relationships (see GIZ 2015)

The stakeholder analysis shows that most actors are in favour of maintaining the ban until a sustainable hunting system is in place. It clearly shows that the FKSHGJK has a dysfunctional relationship with nearly all of the players beside of the COPATE as a result of the hunting ban. Nevertheless, if the COPATE decides in their favour, they might still outcompete the others and lift the ban. However, the COPATE articulated discontent with some of the details of the draft law and are open for further

proposals to regulate the hunting system properly (COPATE 10/2017a). Until now, their decision is pending. The lack of communication between the state structures is illustrated by the unawareness of the committee concerning the parallel legislative process initiated by the MoE.

The SWOT analysis below shows the key internal and external factors seen as important for the objective to achieve a functional hunting ban resulting in the set up of a sustainable wildlife management.

Strengths	Weaknesses
<ul style="list-style-type: none"> • Desire to become part of the EU increased motivation to strengthen nature protection • It increased cooperation among state structures and with the NGOs • Increased controls within protected areas • Reduced hunting pressure on migratory birds • Cut off foreign hunting tourism 	<ul style="list-style-type: none"> • Lack of financial resources and equipment of the state structures to enforce the ban • Small staff responsible for large areas. • Level of education of the staff inadequate • Nearly no controls in unprotected areas • Lack of communication and cooperation between ministries • Lack of communication between MoE and FKSHGJK
Opportunities	Threats
<ul style="list-style-type: none"> • Competition of the two legislative processes speeds up the overall legislative process and might increase the changes to achieve a good outcome in the end • Set up for a monitoring system (at least in the protected areas) is developed (e.g. BioNNA, WIMS) • Willingness of actors to cooperate increased 	<ul style="list-style-type: none"> • Draft law of the FKSHGJK is aiming to lift the ban. • The decentralization process (in particular the territorial reform) shifted the responsibility for the management of natural resources. Chances are high for unsustainable use due to lack of knowledge, education, capacities, and short-term interests • Nepotism • People in power still go hunting

Table 7: SWOT Analysis Hunting Ban (Homburg & Krohmer 2009)

11 Discussion and Conclusion

The results from the implementation on site showed that the hunting ban mostly had a positive impact in those protected areas where enforcement worked properly and controls were conducted regularly. This was only the case in the protected areas that received additional training and financial support by national NGOs and international organisations and where the leading structures were incorruptible and qualified. There, positive impacts on animal populations were reported and the status of nature conservation was strengthened. The recent engagement of the NAPA in monitoring activities in the protected areas is a positive development and is showing that they are further increasing their capacities. The lack of controls in unprotected areas was leading to a complete ineffectiveness of the ban in those regions. Since no regular monitoring activities, in particular regarding hunting species, have been in place, positive impacts on animal populations cannot be determined but are doubtful considering the insights from the interviews with the locals and the personal observations during the field trips. Institutional changes like the territorial reform shifted the responsibility in wildlife management and seem to have left a vacuum with no one taking the lead or having the capacities to step in. This minimizes the positive impact of the ban immensely, considering that 82 per cent of the Albanian territory is not protected. This is increasing the need to develop a sustainable wildlife

management that is functional within the whole of Albania. During the expert interviews, most players were still showing support for the hunting ban but were expressing their disappointment of the small achievements of the government. It was often emphasised that only a strong involvement and cooperation of all actors could outbalance the lack of capacity of the state structures. Unfortunately, with regard to this, the hunting ban has hardened the fronts between the conservationists and the hunters that formerly cooperated. In the end, the monitoring and management of species can only be achieved in a joint effort of those players present in the field. What became clear during the analysis of the current legislative processes is that the draft law of the FKSHGJK is not an adequate solution to regulate hunting in Albania, as it would give one stakeholder an illegitimate advantage over the others and it violates environmental agreements that Albania is part of. In general, the hunters community has to strengthen its capacity to take on an active role in the hunting management in the long term. Both legislative processes have not properly addressed the new responsibility of the LGUs, arising from the territorial reform and the decentralisation strategy. The LGUs were not consulted concerning the new legislative framework on hunting and wildlife management and were not invited to the public hearings. Nonetheless, the overall management of natural resources, which includes wildlife management, is now in their ownership. Further research should put a focus on the LGUs to find out what their plans are to put in place a sustainable wildlife management or even what steps have been taken to address their responsibility. Here, it would make sense to choose municipalities that are distinctively different concerning financial means, topography, biodiversity, and culture, to find out which approach might work best in which context. Furthermore, it should be examined if best practice examples can be identified that could serve as role models for other municipalities. Another important aspect could be to set up a sustainable hunting platform. EuroNatur, an international NGO that played a crucial role in coordinating the national environmental NGOs PPNEA, ASPBM and AOS to speak with one voice, proposed to set up a platform for sustainable hunting to involve all relevant stakeholders in the process (Ferber 2017). The idea was welcomed by the environmental NGOs, but until now it has not resulted in any activities to set up the platform. The former National Fauna and Hunting Council founded in 2004 and then abrogated in 2010 (law no. 10 253, dated 11.3.2010 „On Hunting“), which brought together representatives of all relevant stakeholders, might serve as a blueprint for the platform. Also, the set-up of an independent hunting council was foreseen in the former hunting law from 2010 but never implemented. Even the recent legislative proposal from the UNDP includes the set-up of a “Consultative Council for Wild Fauna and Hunting” (“On Hunting” Draft 2018), which should bring together all relevant stakeholders to advise the government in hunting issues. Creating a platform to institutionalise and professionalise the wildlife management in Albania could be an important step. It would answer the need for proper education in this sector and it would improve the coordination of actions and actors in the long term. Furthermore, it could provide a forum to identify how a monitoring and management scheme for wildlife can be set up that bundles the competences and resources of the different actors and outbalances and helps to improve any deficiencies of single players.

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