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*Ministry of Environment and Spatial Planning*  
*Ministarstvo Životne Sredine, Prostornog Planiranja*

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**EX-POST EVALUATION REPORT**  
**ON**  
**LAW NO. 08/L-250 ON CLIMATE CHANGE**

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Report on the Ex-Post Evaluation of Law No. 08/L-250 on Climate Change, approved by Decision of the Government of the Republic of Kosovo no. 14, dated 19.03.2026.

Proposing Institution	<b>Ministry of Environment and Spatial Planning</b>
Title of the Ex-Post Evaluation Report	Ex-Post Evaluation Report on Law No. 08/L-250 on Climate Change <sup>1</sup>
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## EXECUTIVE SUMMARY

Climate change is one of the greatest challenges facing countries around the world, including Kosovo. Kosovo, like many other states, is affected by climate change and, as a result, has taken measures to address this issue through various laws and policies. As a small country with limited natural resources, Kosovo is particularly vulnerable to the consequences of climate change. Changes in normal climate patterns may have significant impacts, such as rising temperatures, floods and droughts, loss of biodiversity, as well as effects on public health.

In response to these challenges, Kosovo has adopted legislation aimed at protecting against and addressing climate change. Law No. 08/L-250 on Climate Change, adopted on 5 January 2024, aims to define the duties and responsibilities of state authorities in taking measures to mitigate the effects of climate change, coordinating and monitoring their results, and fulfilling obligations under international agreements binding on Kosovo.

Protection against climate change is of extraordinary importance for the security of the planet and the well-being of people. Climate change is causing severe and rapid consequences that affect not only the natural environment, but also society, the economy, and public health.

This report provides an Ex-Post evaluation of Law No. 08/L-250 on Climate Change (hereinafter referred to as “the Law”), which forms part of the legal framework regulating the climate change sector at both central and local levels.

In this regard, the Ministry of Environment and Spatial Planning has established a Working Group mandated to conduct the Ex-Post evaluation of the Law. The Working Group is led by the Legal Department and the Department for Environmental Protection and includes representatives of other relevant departments and institutions. For the purposes of this evaluation, the method “Assessment of Implementation and Compliance” has been selected as one of the three (3) types of Ex-Post evaluation, with the aim of assessing, at key points, the process of implementation of the Law. Furthermore, this evaluation will identify whether implementation is being carried out properly, as well as determine the factors that have facilitated or hindered its adequate implementation.

Finally, the Report recommends actions that contribute to the full implementation of the Law. More specifically, the recommendations consist of the steps that need to be undertaken to address the challenges identified in its full implementation.

## I. INTRODUCTION

### A) Evaluation Context

The monitoring and analysis process developed during the conduct of this assessment, also from previous data, it is noted that the implementation of the law by the responsible institutions is extremely challenging, mainly due to several shortcomings that have been noted in the law.

The selection of this law to undergo an Ex-Post assessment was made, among other things, taking into account its importance in the entire climate change cycle in the country.

Therefore, starting from this and based on the requests issued by the Departments within the Ministry of Environment and Spatial Planning, as well as other public institutions, MESP has been determined in the Ex-Post assessment of Law No. 08/L-250 on Climate Change.

### B) Purpose and scope of the assessment

The purpose of this Ex-Post Evaluation Report is to highlight the main challenges in the field of the environment as defined by the respective Law. In addition to implementation, the second focus of the evaluation is the Law's compliance with other legislation in force. Therefore, the type of evaluation is "Implementation and Compliance Evaluation."

Consequently, the Ex-Post evaluation of the Law is considered a very important and effective instrument for identifying the level of implementation, the challenges encountered during its implementation, as well as the measures that need to be undertaken in order to strengthen the enforcement of this Law.

The evaluation of Law No. 08/L-250 on Climate Change covers the period from its entry into force in January 2024 until December 2025. This Ex-Post evaluation encompasses several provisions of the Law within its scope.

The parties actively involved in the process of implementing the Law are:

- The Office of the Prime Minister;
- The Ministries.

## II. DESCRIPTION OF THE LAW TO BE EVALUATED AND THE METHODOLOGY APPLIED

### A) Description of the Law or Sub-Legislative Act to Be Evaluated

The Law aims to define the duties and responsibilities of state authorities regarding the adoption of measures intended to mitigate the effects of various climate changes, to coordinate and monitor their outcomes, as well as to fulfill obligations under international agreements binding on Kosovo.

The Ex-Post evaluation was conducted on several provisions of the Law, including an analysis that identified a gap where the Monitoring, Reporting, Verification, and Accreditation (MRVA) system is not included. This system is now an obligation of the Republic of Kosovo under the Reform Agenda for the EU Growth Plan for the Western Balkans. Furthermore, the evaluation identified duplication of strategies and measures, as well as several other minor errors in specific articles, which will also be addressed.

### B) Results Chain

The results chain for the type of evaluation defined by the working group, "Implementation and Compliance Evaluation," is presented in the table as follows:

Result level	Indicator
Impact	Positive assessment of the implementation of the law as a result of its ex-post evaluations
Outcome	Satisfactory implementation of the law and the same being in harmony with relevant laws
Output	Achieving results that positively impact the environment

The achievement of the output depends on a number of inputs, such as the drafting and adoption of amendments that must be aligned with existing laws and European Union Directives. Another input necessary to achieve this output is the recruitment of the required staff and field experts who are specialized in the relevant areas and specific aspects of the Law.

The achievement of the outcome depends on the attainment of the output, meaning: when the units are established, have sufficient staff, and are properly trained, the implementation of the Law should reach a good level. The achievement of the outcome also depends on another process: the amendment and supplementation of the Law on Climate Change.

The achievement of the impact represents the highest level of results and is not solely related to the Law on Climate Change. The attainment of impact depends on evaluations conducted outside the public administration, regarding the level of implementation of the Law that was subject to the Ex-Post evaluation. The impact will

be assessed based on data from non-governmental organizations that monitor the implementation of laws.

### **C) Ex-post evaluation method**

The Ministry of Environment and Spatial Planning, as the responsible ministry, based on the Ex-Post Legislative Evaluation Guidelines in the Republic of Kosovo, established the working group on April 2, 2025. The working group was mandated to conduct the Ex-Post evaluation of Law No. 08/L-250 on Climate Change. The group is led by the Legal Department of the Ministry of Environment and Spatial Planning, in cooperation with the Department for Environmental Protection, as well as participants from other competent institutions in the field of climate change impact, who are involved directly or indirectly in the implementation of the Law, such as the Office of the Prime Minister, the Ministry of Industry, Entrepreneurship and Trade, the Ministry of Health, the Ministry of Local Government Administration, the Ministry of Finance, the Ministry of Economy, the Ministry of Agriculture, Forestry and Regional Development.

The methodology used in preparing the Ex-Post Evaluation Report of the Law included data collection based on the summary report and studies conducted by the Working Group for the Analysis of the Impact of CBAM on Kosovo's industry and economy, supported by the International Monetary Fund.

The Law was analyzed using a research method based on these data and the practices of European Union member states.

#### **Holding meetings with relevant stakeholders**

As part of the evaluation process, consultative meetings were also held with relevant national and international stakeholders. In addition to public institutions, the Deputy Chair of the Working Group conducted meetings with experts engaged by the United Nations Development Programme (UNDP), officials from the European Union Office in Kosovo, as well as representatives of the Secretariat of the Energy Community. These consultations helped in more accurately identifying existing challenges and in formulating recommendations based on international best practices.

### III. RESULTS OF THE EVALUATION

#### A) Implementation of the Law

##### a. General Information.

From the Ex-Post evaluation process, specifically based on the meetings conducted by the Working Group with the competent institutions, it was found that the Law has not been fully implemented and has not achieved the intended results. Consequently, the Working Group did not proceed with Performance or Impact Evaluations and observed that the implementation of the Law has been accompanied by several challenges, such as:

- Lack of MRVA inclusion: The MRVA (Monitoring, Reporting, Verification, and Accreditation) system is a control tool for individual polluters and paves the way for enforcement, carbon trading, or exemptions under a protective policy that the European Union applies to our markets, known as the “Carbon Border Adjustment Mechanism.” The absence of a legal basis for the functional operation of the MRVA system is due to the fact that the Law was approved prior to the ratification of “Draft Law No. 10/L-002 on the Ratification of the Agreement between the Republic of Kosovo and the European Union on Arrangements for the Implementation of EU Support to Kosovo under the Reform and Growth Instrument” (hereinafter the Growth Plan). Under the Growth Plan and the Reform Agenda, the region and Kosovo are conditioned to implement the MRVA system by June 2026.
- Lack of definition of new tasks for the Kosovo Environmental Protection Agency (KEPA/AMMK): For the full implementation of this Law and the operation of the above-mentioned system, a dedicated sector must be established within KEPA to ensure effective use of this system.
- Lack of specific capacity-building training for better Law implementation: Even though the staff numbers are small, public institutions at both central and local levels have identified the lack of specific training for full implementation of the Law as a challenge or reason hindering effective application.
- **Review of legal provisions regarding the Long-Term Decarbonization Strategy:** Considering the need for a more flexible and horizontal approach, it has been observed that this strategy currently has a binding legal character, whereas it should serve as a guiding strategic document. In this regard, the possibility of removing mandatory references to it from the Law or modifying the existing article should be analyzed, clarifying that the Decarbonization Strategy serves an orienting role for the development of climate and energy policies and is harmonized with the National Energy and Climate Plan (NECP) and the Nationally Determined Contributions (NDCs). During the implementation of the

Law in its first year, the Secretariat of the Council for Climate Change highlighted the effectiveness of climate policies and proposed a reform of priorities in alignment with the political agenda for climate change.

- **Precise definition of the scope of the Council and the Secretariat for Climate Change:** For full implementation of this Law and proper functioning of the Council and Secretariat for Climate Change, it is necessary to clearly define their scope and competencies to ensure the work of these structures is efficient, based on the Secretariat members' experience in operational effectiveness.
- **Lack of sub-legal acts and impact on implementation:** Despite the Law requiring the adoption of sub-legal acts for essential matters, no such acts have been approved since 2024. This has resulted in many functions remaining unenforceable.

## B) Compliance

The Working Group has assessed that there are some duplications in the text of the Law, as well as the absence of other important provisions within the Law itself, but it has not identified any non-compliance with other laws.

## IV. CONCLUSIONS AND RECOMMENDATIONS

### – CONCLUSIONS

The Ex-Post analysis of the Law has identified the following conclusions:

- Lack of inclusion of legal provisions for the establishment of the MRVA system;
- Lack of inclusion of legal provisions for the creation of a sector to manage and monitor the MRVA system;
- Amendment and supplementation of the current legal provisions in the Law regarding the functioning and responsibilities of the main management bodies in this field, such as the Council and the Secretariat for Climate Change;
- Amendment and supplementation of the current legal provisions regarding strategic documents foreseen in the Law, in order to ensure proper adaptation for the implementation and monitoring of climate change in our national system;
- Lack of expertise and professional capacities in this new field in Kosovo, as well as globally, which has now gained significant interest due to the need for environmental and health protection;
- Failure to issue sub-legal acts, which has affected the non-implementation of the functions provided for in this Law.

## RECOMMENDATIONS

The following recommendations are the result of the Working Group's evaluation and are naturally linked to the conclusions outlined above:

- Establishment of the MRVA system at the installation level through amendments and supplements to the Law, based on relevant European practices and methodologies, adapted to the circumstances of the Republic of Kosovo, while also allowing for the modification of the MRVA system in line with national climate and energy policy priorities.
- Designation of KEPA (AMMK) as the competent authority responsible for implementing, coordinating, and supervising the MRVA system; amendment and supplementation of the legal provision regarding the Long-Term Decarbonization Strategy, recommending that this strategy should not have a binding legal character, but remain a guiding strategic document, considering the need for a more flexible and horizontal approach, and serve an orienting role for the development of climate and energy policies. Additionally, it should be harmonized with the National Energy and Climate Plan (NECP) and the Nationally Determined Contributions (NDCs).
- Amendment and supplementation of the legal provisions regarding the scope of the Council and the Secretariat for Climate Change, to make the work of these structures more efficient, based on the experience of Secretariat members in operational effectiveness.
- Review of professional capacity-building needs through an assessment of the training requirements for competent officials across the entire policymaking, implementing, and monitoring chain, for the necessary climate change modules, as well as consideration of recruiting additional positions in the relevant units.
- Issuance of all sub-legal acts foreseen by the Law.

## TECHNICAL ANNEXES

### *Annex 1: Questionnaire*

#### ***Ex-Post Evaluation of Law No. 08/L-250 on Climate Change***

##### *Type of Evaluation:*

##### ***Implementation and Compliance***

##### *Questions aimed at assessing implementation and compliance:*

##### *General Questions:*

1. Have all sub-legal acts derived from the Law been issued?

Not all have been issued; however, some important documents have been adopted so far, including the voluntary NDC, the final draft of the Energy and Climate Plan, as well as two Administrative Instructions related to greenhouse gas (GHG) emissions. Nevertheless, the sub-legal act establishing the functional basis of the MRVA system is still missing, which is considered a crucial component for the full implementation of the Law.

2. Has the budget planned for the implementation of the legal act been allocated??

No. The Ministry has not required a separate budget allocation for the activities carried out so far, as the preparation of the NDC and the two Administrative Instructions was completed without additional costs to the institution and with support from donors such as UNDP and the World Bank.

3. How advanced is the implementation of the legal act?

The implementation is at a medium stage. Some actions have been taken, including the operationalization of the Council and the Secretariat for Climate Change. The voluntary NDC has been approved, and the National Energy and Climate Plan has been drafted.

4. What are the challenges in the implementation of the legal act?

The challenges include the lack of a clear legal basis for the MRVA system; so far, staffing at the Ministry has been difficult, although this has now been partially addressed with the appointment of two officials in the newly established Climate Change Division.

##### Effectiveness:

1. Has the implementation process of the legal act incurred any costs?

No. So far, the activities carried out, including the preparation of the NDC and the two Administrative Instructions related to GHG, have been implemented at no cost to the Ministry, in collaboration with international partners.

2. Is there a possibility to simplify implementation and save resources (funds, personnel, etc.)?

Yes. By incorporating the MRVA system through a clear sub-legal framework and by operationalizing capacities within KEPA , implementation would become more structured and efficient, avoiding overlaps and saving institutional resources.