

**Republika e Kosovës**

**Republika Kosova-Republic of Kosovo**

***Qeveria - Vlada - Government***

**No. 01/15**

**Date: 23.03.2020**

The Government of the Republic of Kosovo, pursuant to Article 55, Article 92 paragraph 4 and Article 93 paragraph (4) of the Constitution of the Republic of Kosovo, pursuant to Articles 41 and 44 of the Law No. 02/L-109 for Prevention and Fighting against Infectious Diseases, paragraph 1.11 of Article 12 and Article 89 of the Law No. 04/L-125 on Health, pursuant to Article 4 of Regulation No. 05/2020 on the Areas of Administrative Responsibility of the Office of the Prime Minister and Ministries, pursuant to Articles 17 and 19 of the Regulation No. 09/2011 of Rules and Procedure of the Government of the Republic of Kosovo, pursuant to the Decision No. 01/11 dated 15 March 2020 of the Government of the Republic of Kosovo on the declaration of a public health emergency, at the meeting held on 23 March 2020, issues the following:

**DECISION**

The Government of the Republic of Kosovo approves the request of the Ministry of Health to undertake measures for the prevention and control of the spread of the COVID-19 virus as follows:

1. The movement of citizens and private vehicles is prohibited starting from 24 March 2020 between 10:00 - 16:00 and 20:00 - 06:00, except for the one carried out for medical needs, production, supply and sale of essential goods (food and medicines for people and livestock/poultry), and for services and activities related to pandemic management (essential government and municipal management and personnel of the following sectors: health, security and public administration).
2. Free movement is allowed for economic operators classified as the most important under the NACE codes and that the Ministry of Economy, Employment, Trade, Industry, Entrepreneurship and Strategic Investments allows to operate during period of emergency related to the COVID-19 pandemic, as well as for transport of goods/services to ensure the functioning of the supply chain.
3. Movements on the road shall be carried out by no more than two persons together and always keeping a distance of two meters from the others.
4. Gatherings shall be prohibited in all settings - private and public, open and closed - except when necessary to perform pandemic prevention and fighting work, and where two meters distance is permitted between people. In the event of deaths, only close relatives of the deceased’s family and persons performing the funeral service may attend the funeral.
5. Institutions of the Government of the Republic of Kosovo shall be obliged to take the necessary actions for the implementation of this Decision.
6. The decision shall enter into force on the day of signature.

 **Albin KURTI**

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 Prime Minister of the Republic of Kosovo

**The Decision shall be forwarded to:**

* Deputy Prime Ministers
* All ministries (Ministers)
* Secretary General of OPM
* Archive of the Government



**Republika e Kosovës**

**Republika Kosova-Republic of Kosovo**

***Qeveria - Vlada - Government***

**No. 02/15**

**Date: 23.03.2020**

Pursuant to Article 92 paragraph 4 and Article 93 paragraph (4) of the Constitution of the Republic of Kosovo, pursuant to Article 4 of Regulation No. 05/2020 on the Areas of Administrative Responsibility of the Office of the Prime Minister and Ministries, pursuant to Articles 17 and 19 Regulation No. 09/2011 of Rules and Procedure of the Government of the Republic of Kosovo, the Government of the Republic of Kosovo, at its meeting held on 23 March 2020, issues the following:

**DECISION**

1. The Privatization Agency of Kosovo **is requested** to suspend for an indefinite term all actions related to immovable properties under its administration.
2. The decision shall enter into force on the day of its signature.

REASONING

Article 5.3 of the Law No. 04/L-034 on the Privatization Agency of Kosovo, as amended and supplemented stipulates that “the Agency shall take into account any relevant policies that may be adopted by the Government or Assembly of Kosovo”.

The Government Program 2020–2023 stipulates policies that may change the status of the Privatization Agency of Kosovo and change the long-term management of public and socially owned property (points 1.3.2 and 3.1.1). The Agency’s actions regarding the properties it administers may hinder the fulfilment of the Government program.

To this end, the Government decides as in the dispositive portion.

 **Albin KURTI**

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 Prime Minister of the Republic of Kosovo

**The Decision shall be forwarded to:**

* Deputy Prime Ministers
* All ministries (Ministers)
* OPM Secretary General
* Archive of the Government
* Privatisation Agency of Kosovo



**Republika e Kosovës**

**Republika Kosova-Republic of Kosovo**

***Qeveria - Vlada - Government***

**No. 03/15**

**Date: 23.03.2020**

Pursuant to Article 92 paragraph 4 and Article 93 paragraph (4) of the Constitution of the Republic of Kosovo, Article 55 of the Law No. 05/L-031 on the General Administrative Procedure and Articles 5, 7, 8 and 9 of the Law No. 04/L-159 on Economic Zones, pursuant to Article 4 of the Regulation No. 05/2020 on the Areas of Administrative Responsibility of the Office of the Prime Minister and Ministries, pursuant to Articles 17 and 19 of the Regulation Nr. 09/2011 of Rules and Procedure of the Government of the Republic of Kosovo, the Government of the Republic of Kosovo, at its meeting held on 23 March 2020, issues the following:

**DECISION**

1. The following Government decisions on the establishment of the Economic Zone in the Municipality of Malisheva and the expropriation of immovable property shall be **cancelled:**
	1. Decision No. 11/50 dated 5 June 2018;
	2. Decision No. 12/65 dated 13 September 2018;
	3. Decision No. 13/81 dated 24 December 2018; and
	4. Decision No. 18/107 dated 18 June 2019.
2. This decision shall enter into force on the day of its signature.

REASONING

With the Decision No. 11/50 dated 5 June 2018, The Government of the Republic of Kosovo, led by Prime Minister Ramush Haradinaj, approved the “Declaration of a Zone of Special Economic Interest with the Purpose of Establishing the Economic Zone in Municipality of Malisheva”. According to the decision, the economic zone is foreseen to be extended to certain parcels in the cadastral zones of Banja, Bellanica and Senik.

To enable the establishment of the economic zone on the abovementioned parcels, the Haradinaj Government issued three decisions on their expropriation:

* Decision No. 12/65 dated 13 September 2018 on the approval of further review for expropriation;
* Preliminary Decision No. 13/81 dated 24 December 2018 on Expropriation;
* Final Decision No. 18/107 dated 18 June 2019 on expropriation,.

However, these decisions are not in accordance with the law. The Law No. 04/L-159 on Economic Zones, determines the essential conditions for their establishment. Firstly, the zone is established in accordance with the national plan for economic zones (Article 9 in conjunction with Article 5.4). Secondly, the zone is established in accordance with the spatial plan of the municipality, which is to be harmonized with the national plan for economic zones (Article 8.3 and 9.1).

Thirdly, the zone is established only after a feasibility study is conducted, a public hearing is held and the zone is justified (Article 7 in conjunction with Article 5.4). Fourthly, the zone must be located on the property of the founder, although the founder may expropriate the properties necessary for the zone (Article 9).

The National Concept Document for the Development of Economic Zones in Kosovo 2014–2018, as a document submitted by the ministry responsible for trade and industry, foresees the establishment of economic zones in Gjakova and Mitrovica. However, Malisheva is not mentioned in this concept document. Therefore, Decision 11/50 is not in accordance with the national plan for economic zones, as required by law.

When the decision was taken, the municipality of Malisheva did not have a municipal development plan. Such a plan was issued only after the declaration of the zone by a Government act. Accordingly, Decision 11/50 is not in accordance with the legal requirements of planning.

A feasibility study or a public hearing on the Economic Zone of Malisheva has not been carried out as of yet. In other words, there is no document that states as to why the zone should be established. Therefore, the legal preconditions for Decision 11/50 have not been met.

Moreover, the parcels that the Haradinaj Government marked for expropriation are private property. The municipality initially issued a list of other parcels for the economic zone; however the list was inexplicably changed before being submitted to the Government for approval. The marked parcels include lands that were socially owned until 2009, when they were privatized for about EUR 10 per acre. Today an acre is valued at EUR 807 - nearly a hundred times the purchase price.

In the absence of any justification, the present Government finds it impossible to understand why numerous public or socially owned properties were not used in the Municipality of Malisheva. It turns out that the selection of the parcels was completely unreasonable and the decisions to expropriate them were unnecessary and contrary to the Law on Economic Zones.

In light of the above, the Decision 11/50 on the declaration of economic zone and subsequent decisions 12/65, 13/81 and 18/107 on expropriation are unlawful.

The Law No. 03/L-139 on the Expropriation of Immovable Property, as amended by the Law 03/L-205 and Law 04/L-115, makes expropriation decisions administrative acts (Articles 11.11 and 39). Therefore, regarding the four Government decisions, the provisions of the Law No. 05/L-031 on General Administrative Procedure, Article 55 shall apply, which entitle the state body to annul an administrative act for the purpose of establishing legality.

Consequently, the Government has the right to cancel the decisions as in the dispositive portion.

 **Albin KURTI**

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 Prime Minister of the Republic of Kosovo

**The Decision shall be forwarded to:**

* Deputy Prime Ministers
* All ministries (Ministers)
* Secretary General of OPM
* Government Archive
* Municipality of Malisheva



**Republika e Kosovës**

**Republika Kosova-Republic of Kosovo**

***Qeveria - Vlada - Government***

**No. 04/15**

**Date: 23.03.2020**

The Government of Kosovo, pursuant to Article 92 paragraph 4 and Article 93 paragraph (4) of the Constitution of the Republic of Kosovo, pursuant to Regulation No. 05/2020 on the Areas of Administrative Responsibility of the Office of the Prime Minister and Ministries, pursuant to Articles 17 and 19 of the Regulation No. 09/2011 of Rules and Procedure of the Government of the Republic of Kosovo, at the meeting held on 23 March 2020, issues the following:

**DECISION**

1. The concept document on Judicial Reform for Commercial Justice shall be approved.
2. The Ministry of Justice and other competent institutions shall be obliged to implement the Concept Document from point 1 of this decision.
3. The decision shall enter into force upon its signature.

 **Albin KURTI**

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 Prime Minister of the Republic of Kosovo

**The Decision shall be forwarded to:**

* Deputy Prime Ministers
* All ministries (ministers)
* Secretary General of OPM
* Government Archive



**Republika e Kosovës**

**Republika Kosova-Republic of Kosovo**

***Qeveria - Vlada - Government***

**No. 05/15**

**Date: 23.03.2020**

Pursuant to Article 92 paragraph 4 and Article 93 paragraph (4) of the Constitution of the Republic of Kosovo, pursuant to Article 4 of Regulation No. 05/2020 on Areas of Administrative Responsibility of the Office of the Prime Minister and Ministries, pursuant to Articles 17 and 19 of the Regulation No. 09/2011 of Rules and Procedure of the Government of the Republic of Kosovo, the Government of the Republic of Kosovo, at its meeting held on 23 March 2020, issues the following:

**D E C I S I O N**

1. The Concept Document on the Central Criminal Records System of Kosovo shall be approved.
2. The Ministry of Justice and other competent institutions shall be obliged to implement the Concept Document from point 1 of this decision.
3. The decision shall enter into force on the day of its signature.

 **Albin KURTI**

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 Prime Minister of the Republic of Kosovo

**The Decision shall be forwarded to:**

* Deputy Prime Ministers
* All Ministries (Ministers)
* Secretary General of OPM
* Government Archive



**Republika e Kosovës**

**Republika Kosova-Republic of Kosovo**

***Qeveria - Vlada - Government***

**No. 06/15**

**Date: 23.03.2020**

Pursuant to Article 92 paragraph 4 and Article 93 paragraph (4) of the Constitution of the Republic of Kosovo, Article 46 of Law No. 03/L-048 on Public Financial Management and Accountability, as amended by Law No. 03/L-221, Law No. 04/L-116, by Law No. 04/L-194, by Law No. 05/L-063 and Law No. 05/L-007, pursuant to Article 4 of Regulation No. 05/2020 on Areas of Administrative Responsibility of the Office of the Prime Minister and Ministries, pursuant to Articles 17 and 19 of the Regulation No. 09/2011 of Rules and Procedure of the Government of the Republic of Kosovo, the Government of the Republic of Kosovo, at its meeting held on 23 March 2020, issues the following:

**D E C I S I O N**

1. The Annual Financial Report for 2019 shall be approved.
2. The Secretary-General of the Office of the Prime Minister shall be obliged to submit the Report referred to in point 1 of this Decision to the Assembly of the Republic of Kosovo, in accordance with Article 46 of Law No. 03/L-048 on Public Financial Management and Accountability, as amended by Law No. 03/L-221, Law No. 04/L-116, by Law No. 04/L-194, by Law No. 05/L-063 and Law No. 05/L-007.
3. The decision shall enter into force on the day of its signature.

 **Albin KURTI**

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 Prime Minister of the Republic of Kosovo

**The Decision shall be forwarded to:**

* Deputy Prime Ministers
* All Ministries (Ministers)
* Secretary General of OPM
* Government Archive