



Republika e Kosovës
Republika Kosova - Republic of Kosovo
Qeveria - Vlada - Government

No. 01/41
Date: 23.10.2021

Pursuant to Article 92, paragraph 4, Article 93, paragraph 4 and Article 55 of the Constitution of the Republic of Kosovo; Article 4, Article 5, paragraph 2.4, Article 6, paragraph 1, Articles 10 and Article 12 of Law No. 07/L-006 on Preventing and Combating COVID-19 Pandemics in the Territory of the Republic of Kosovo; Article 89 of Law No. 04/L-125 on Health; based on Article 4 of Regulation No. 02/2021 on Areas of Administrative Responsibility of the Office of the Prime Minister and Ministries, amended and supplemented by Regulation No. 04/2021, and pursuant to Decision of the Government of the Republic of Kosovo No. 01/11 dated 15.03.2020 on the Declaration of Public Health Emergency and in implementation of the recommendations of NIPHK, for the purpose of controlling, preventing and combating the spread of SARS-CoV-2 virus, in accordance with Article 17 and Article 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, in the meeting held on 23 October 2021, issues the following:

DECISION

For general and specific measures to control, prevent and combat COVID-19 pandemic

A. [Territorial application]

1. This decision shall apply to the entire territory of the Republic of Kosovo.

B. [Entries and exits of foreign citizens to and from the Republic of Kosovo]

2. Every person who enters the Republic of Kosovo shall possess one of the following evidence:
 - 2.1** Vaccination certificate for complete vaccination (with two doses) against COVID-19;
 - 2.2 A negative RT-PCR test for COVID-19, not older than 72 hours;
 - 2.3 Evidence that the person has passed COVID-19 (positive RT-PCR test issued not less than 21 days and not more than 180 days or positive result of serological antibody test - IgG, issued no more than 30 days ago;
 - 2.4 Rapid negative antigen test not older than 48 hours.
3. Citizens of the Republic of Kosovo, as well as persons with temporary or permanent residence permits in Kosovo, who enter the Republic of Kosovo and do not possess one of the evidences according to points 2.1 to 2.4 shall self-isolate for 7 days. These persons shall complete the statement under oath for self-isolation at the relevant border crossing point.

4. The following persons are released from the requirement to possess any of the evidence according to points 2.1 to 2.4:
 - 4.1. Persons entering Kosovo via an airport or land border crossing point and leaving Kosovo within three (3) hours via an airport or land border crossing point, provided that at the entrance they sign a statement that they will leave Kosovo within three (3) hours;
 - 4.2. Persons working as professional transporters (drivers), provided they adhere to the international transport protocol for protection against COVID-19;
 - 4.3. Citizens of the Republic of Kosovo who have left Kosovo in the last 12 hours;
 - 4.4. Foreign citizens passing through Kosovo by organized bus transport or regular international transit line, provided that they sign a statement that they will leave the territory of Kosovo within five (5) hours;
 - 4.5. Foreign diplomats accredited in Kosovo;
 - 4.6. Persons under the age of sixteen (16) years.

C. [Protection and safety at work]

5. All employees of public institutions, as well as the staff of public enterprises owned by the Government or a municipality, shall possess one of the evidences mentioned in points 2.1 to 2.4, in order to be allowed entry in the workplace.
6. The highest administrative officer of each public institution is obliged to appoint one or many responsible person who will check the possession of any of the evidence mentioned in points 2.1 to 2.4.

Ç. [General protection and hygiene measures]

7. Public and private institutions and other entities are obliged to keep hand sanitizers and an amount of face masks in accessible places at the entrance of the building and indoors.
8. Public and private institutions and other entities are obliged to place visible signs of the rules of conduct for protection from COVID-19 at the entrance of each building including the sign prohibiting entry to the building without masks, respecting the distance.
9. Officials of public and private institutions and other entities are obliged to carry out disinfection and ventilation of indoor spaces.
10. Wearing a mask covering the nose and mouth is mandatory in all cases, except:
 - 10.1. When driving alone, or when only close family members are present in the vehicle;
 - 10.2. When running, cycling and exercising;
 - 10.3. While eating or drinking.
11. Entry to closed buildings without a mask is prohibited.
12. All public and private institutions are obliged to appoint an employee to monitor the implementation of the measure set out in point 11 and evidence under point 2.1 and 2.4.

D. [Circulation restriction]

13. The movement of citizens is prohibited from 00:00h to 05:00h, except:
 - 13.1. Cases of an emergency nature (to seek medical help, purchase medication, provide care or medical assistance, avoid injury, or escape the risk of injury)
 - 13.2. Circulation for health, safety personnel, and operators performing public works and services;
 - 13.3. Night shift personnel of economic operators who ensure the functioning of the supply chain (including transport of goods/services), but provided that they are provided with a special permit from the EDI system of the Tax Administration of Kosovo.
 - 13.4. Persons who provide proof that they must be at the airport during the curfew, because they have to travel by plane
 - 13.5. Persons to whom a special temporary permit is issued by the Emergency Operational Centre of the Ministry of Internal Affairs, according to point 15, due to the necessity of circulation during curfew.
14. Employers are obliged to ensure that their employees subject to the restriction from point 13 have enough time to travel to and from their homes.
15. Emergency Operational Centre of the Ministry of Internal Affairs, for events of special importance, issue a special permit, according to which it is allowed to temporarily extend, only for the needs of this event, the circulation restriction for a certain category of persons.

Dh. [Education institutions]

16. The learning and teaching process in preschool and day care institutions continues on a regular basis.
17. The learning and teaching process in pre-university education institutions of all levels and day-care centres continues with regular hours and in physical presence, under the support, monitoring and active supervision by municipal and institutional task forces.
18. The learning and teaching process in public and private institutions of higher education, and in training and non-formal institutions, shall take place in persons, provided that groups over 50 persons are accommodated in no more than 50% of the area.
19. Students in order to be able to register in the dormitory must possess any of the evidence mentioned in points 2.1 to 2.4.
20. Students in public and private university institutions must possess any of the evidence mentioned in points 2.1 to 2.4., in order to be allowed in the building of the institution.
21. Staff in all public and private institutions of all levels of education, including pre-school institutions and day stay, shall possess any of the evidence referred to in points 2.1 to 2.4, in order to be allowed in the building of the institution.
22. The highest official of each educational institution according to point 18, 19 and 20 is obliged to appoint one or more responsible persons who will check the possession of any of the evidences mentioned in points 2.1 to 2.4.
23. All public and private institutions of all levels of education are prohibited from organizing extracurricular activities, such as excursions, group walks, various parties of teaching staff or students.

E. [Application for social and pension schemes]

24. The Ministry of Finance, Labour and Transfers is instructed to exempt all beneficiaries of social and pension schemes managed by the MFLT from regular submission to the relevant offices for recording purposes, as required by relevant laws.

F. [Restriction of public and private gatherings]

25. Unless otherwise specified in this decision, indoor gatherings of up to thirty (30) persons (workshops, meetings, seminars, trainings or other gatherings) are allowed. Participants are obliged to possess any of the evidence mentioned in points 2.1 to 2.4, in order to be allowed to enter these premises, and the organizer is obliged to provide a physical distance of 1 meter between persons and check the relevant evidence.

25.1. Meetings of the Assembly and Government are allowed regardless of the number of persons, respecting the wearing of masks and maintaining the physical distance of 1 meter between persons.

26. The Emergency Operational Center of the Ministry of Health may issue a special permit, exceeding the number of thirty (30) persons, for events of special importance in the function of public interest.
27. Outdoor gatherings and cultural events with up to seventy (70) persons (public) are allowed. The organizer is obliged to ensure the maintenance of a physical distance of 1 meter between persons and the presentation of evidence recorded in points 2.1 to 2.4 of this Decision.
28. Notwithstanding points 27 and 29, for concerts and festivals with the public standing, the prohibitions set forth in point 32 apply.
29. Religious ceremonies and rites are allowed to carry out their activity up to 50% of the utilizing capacity, provided that they possess one of the evidence according to point 2.1 to 2.4 in order to be allowed to enter the indoor spaces, in accordance with the relevant instruction.
30. Holding a reception for consolation in indoor premises is allowed for up to thirty (30) people, while outdoors up to seventy (70) people, with the implementation of protective measures (masks and physical distance).
31. Funerals are only allowed with the participation of close family, ensuring that participants maintain a physical distance of 1 meter from each other.

G. [Prohibition of certain activities and organizations]

32. Regardless of the number of persons, the activity of night clubs as well as the organization of festivals, concerts, excursions, pilgrimages, weddings, engagements, family and social parties is prohibited throughout the territory of the Republic of Kosovo.

Gj. [Gastronomy]

33. Gastronomy services are allowed to carry out their activity. Clients and staff of the gastronomy must possess one of the evidence according to points 2.1 to 2.4 in order to be allowed to enter the indoor spaces of the premises, in accordance with the relevant instruction.

34. In the gastronomy premises it is obliged to appoint one or more responsible persons who will check the possession of any of the evidences mentioned in point 2.1 to 2.4.
35. The use of indoor spaces is allowed up to 50% of the capacity of the space. In open spaces it is allowed to use up to 70% of the space capacity. The area is calculated for the area where food and drinks are served.
36. The expressions 'open area' and 'closed area' have the same meanings as in Law No. 04/L-156 on Tobacco Control.
37. Customers shall stay seated at all times within the gastronomy service premises where food or beverage service is permitted, except:
 - 37.1. When entering or leaving the premises;
 - 37.2. While paying the order;
 - 37.3. When going to or returning from the toilet;
 - 37.4. When necessary for health and safety purposes.
38. In cases from point 37.1 to 37.4 it is obligatory to wear the mask covering the nose and mouth.
39. 40. Gastronomy services are allowed to conduct their activity from 05:00 to 23:00.
40. 41. Music is only allowed until 21:30.
41. Premises managers shall ensure that the distance between customers at different tables is at least one (1) meter..
42. The back of one chair with the back of the other chair should have at least one (1) meter distance.
43. Up to 4 people are allowed at the table in closed spaces. In case the tables are bigger than two (2) meters, then the precondition is the limit of five (5) people in 10 m².
44. Up to six (6) persons are allowed outside or at the table or counter.
45. Each table should be equipped with disinfectants containing at least 60% alcohol.
46. The "delivery" service is allowed to operate even after 22:30, after being provided with a special permit by the EDI system (TAK).

H. [Shopping malls and other economic operators]

47. The activity of shopping malls is allowed according to the relevant guideline.
48. All operators who have wholesale and retail trade as their economic activity are obliged to set the maximum number of customers in the premises at the same time according to the rule - 1 person per 8 m². These operators are obliged to indicate at the entrance the maximum number of customers allowed inside at the same time. The area is calculated for the area where customers are allowed to stay.
49. Customers and staff in shopping malls and call centers must possess any of the evidence mentioned in points 2.1 to 2.4 in order to be allowed to enter the facility.
50. In shopping malls and call centers it is obligatory to appoint one or more responsible persons who will check the possession of any of the evidence mentioned in points 2.1 to 2.4.

I. [Working with parties]

51. In public/private institutions or businesses, employees/staff who work with parties/ direct contact with clients (including, but not limited to, barbers, taxi drivers, market and bank employees, etc.) shall possess any of the evidence referred to in points 2.1 to 2.4, in order to be allowed access to the facility. It is obliged to appoint one or more responsible persons who will control the possession of any of the evidences mentioned in point 2.1 to 2.4.
52. The responsible person of the public or private institution and of the economic operators is obliged to stop lining up or gathering inside and outside the work/business environment unless they keep a physical distance of at least 1 meter from other groups of persons.

J. [Public transport]

53. Using public transport without a mask is prohibited.
54. Passenger road transport operators are allowed to work using 50% of the seating capacity.
55. Up to two (2) passengers are allowed to travel in a taxi.
56. Public transport staff must possess any of the evidence referred to in paragraphs 2.1 to 2.4 in order to be allowed employment in the public transport sector.

K. [Theatres, libraries, etc.]

57. Libraries, museums, cinemas, theaters, philharmonic concerts, opera, ballet, orchestras, ensembles, youth centers, cultural centers with groups or other similar subordinate institutions of the MCYS or Municipalities, are allowed to work using 50% of the capacity of the space / surfaces of the respective facilities, provided that the public is seated in a chair. It is obligatory to keep the mask and the physical distance of 1 meter between persons.
58. The users of the activities according to point 61, must possess any of the evidences mentioned in point 2.1 to 2.4, in order to be allowed to enter the facility.
59. In the activities according to point 61, one or more responsible persons must be appointed by decision who will check the possession of any of the evidences mentioned in point 2.1 to 2.4.

L. [Sport and recreation]

60. Organization of sports competitions and exercises is allowed in accordance with the protocols and recommendations of world organizations for the organization of sports events and the protection measures of the Government of the Republic of Kosovo.
61. The number of participants in the competition (athletes, clubs, officials, and other participants necessary for the development of the competition) is determined by the sports federations respecting the measure of social distancing and other protective measures.
62. In indoor competitive activities, the presence of spectators is allowed up to 10% of the capacity of the sports facility or space (stadium, sports hall, swimming pools, other indoor spaces) respecting the distance of 1 meter and other protective measures.
63. In outdoor competitive activities, the presence of spectators is allowed up to 30% of the capacity of the sports facility or space (stadium, sports halls, swimming pools, other indoor spaces) respecting the measure of 1.5 meters distance and other protective measures.

64. Spectators in outdoor competitive activities shall possess one of the evidences mentioned in points 2.1 to 2.4.
65. The organizers of the competition are obliged to appoint persons responsible for checking the possession of one of the evidence from points 2.1 to 2.4 and undertake specific measures, in accordance with international protocols, for the management of the crowd (fans) before, during, and after entering the sports space.
66. It is allowed to use gyms, sports centres and similar spaces for individual recreational activities. Clients and the staff shall possess any of the evidence specified in points 2.1 to 2.4 of this Decision.
67. Each gym, sports centre and similar is obliged to appoint at least one employee who will check the possession of any of the evidence mentioned in points 2.1 to 2.4.
68. The use of gyms, sports centres and the like is done in the proportion of 1 client in 10 m².
69. It is obligatory to place information signs and disinfectants (or other means for cleaning), in each gym device for the purpose of awareness and their disinfection by each client after use.

LL. [Thermal spas]

70. In order to enter the thermal spas, customers and staff must possess any of the evidence specified in points 2.1 to 2.4 of this Decision. It is obligatory to appoint at least one employee who will check the possession of any of the evidences mentioned in point 2.1 to 2.4.

M. [Markets and slaughter of animals]

71. Public markets of vehicles, animals and poultry are allowed to carry out the activity by using 30% of the space/surface capacity of the respective facilities. It is obligatory to keep the mask and place the stands at a physical distance of at least 2 meters.

N. [Personal data and the method of checking evidence according to points 2.1 to 2.4]

72. The appointment of authorized persons or authorized employees for the control of evidence according to points 2.1 to 2.4, is done through the decision where the name and surname of the authorized person are determined. These persons must be identifiable through the card/identification mark and their names must be posted at the entrance of the institution, shopping malls, gastronomy premises and any other business.
73. The presentation of the evidence referred to in paragraphs 2.1 to 2.4 shall be in a form which does not allow authorized persons or authorized services to control their possession, hold, store, record or process the data contained in evidence in any form, unless the data subject has given his/her written consent to the processing of such data.
74. Authorized and designated persons, in order to check the evidence mentioned in points 2.1 to 2.4, in cases when the data subject has given his/her written consent for the processing of this data, are not allowed to retain the data or reuse it for purposes other than ascertaining possession of evidence, in the public health interest and for the sole purpose of combating the spread of the COVID-19 pandemic.

Nj. [Guidelines and clarifications]

75. The Ministry of Health is obliged to issue temporary, general and special guidelines for preventing and combating COVID-19, as follows:
- 75.1. Temporary Guideline for the application of general measures for preventing and combating COVID-19;
 - 75.2. Temporary Guideline for the sector of personal services and businesses, industry, public administration and NGOs;
 - 75.3. Temporary Guideline for educational institutions of all levels;
 - 75.4. Temporary Guideline for gastronomy, hospitality, sales sector and shopping malls;
 - 75.5. Temporary Guideline for religious gatherings, funerals, workshops and cultural activities,
 - 75.6. Temporary Guideline for gyms, sports halls and other recreational and sports activities;
 - 75.7. Temporary Guideline for public transport;
 - 75.8. Temporary Guideline for health care institutions;
 - 75.9. Temporary Guideline for civil aviation;
 - 75.10. Temporary Guideline for correctional institutions, asylum centres and foreigner detention centres;
76. The guidelines referred to in point 77 are mandatory for all persons and sectors to which they apply.
77. The Ministry of Health is obliged to issue clarifications, when needed, on the points of this decision.

O. [Implementation]

78. The Minister of Health, FVA and the Kosovo Police, in cooperation with the municipal emergency headquarters, are obliged to monitor the implementation of this decision and to submit a weekly report to the Office of the Prime Minister (every Friday until 16:00).
79. The Ministry of Health, HUCSK and NIPHK are obliged to submit to the Office of the Prime Minister the weekly report (every Friday, at 16:00h), on the implementation of measures, the situation in health institutions, the epidemiological situation and forecasts for the next two weeks.
80. The Ministry of Health is obliged, based on Law No. 07/L-006 on Preventing and Combating COVID-19 Pandemics in the Territory of the Republic of Kosovo, to issue operational decisions, depending on the epidemiological situation and the recommendations of the NIPHK.
81. The Kosovo Police and the responsible inspectorates are obliged to supervise the implementation of the measures, other decisions and relevant guidelines pursuant to Law No. 07/L-006 on Preventing and Combating COVID-19 Pandemics in the Territory of the Republic of Kosovo.
82. For violators of the measures, the competent bodies are obliged to impose punitive measures according to Law No. 07/L-006 on Preventing and Combating COVID-19 Pandemics in the territory of the Republic of Kosovo and other applicable laws.
83. The only authority that can interpret this decision is the Ministry of Health, while any other institution can provide clarifications on the respective categories to which this decision applies, only after the approval of that clarification by the Ministry of Health.

P. [Repeal of Decision No. 01/37]

84. Government Decision No. 01/37 dated 24.09.2021 is hereby repealed.

Q. [Entry into force]

85. The decision enters into force on the day it is published in the Official Gazette of the Republic of Kosovo.

R e a s o n i n g

Measures to preserve public health and protect against COVID-19 have proven to be vital to limit COVID-19 transmission. According to recent reports from the National Institute of Public Health of Kosovo, the epidemiological situation with COVID-19 in Kosovo is stable, but the risk remains because the Delta variant continues to be dominant in our country and that in other countries in the region and the world there is a significant deterioration of the epidemiological situation.

In such a situation, referring to the current data on the epidemiological situation and the recommendations of the NIPHK, the Government has taken measures whose main purpose is to preserve public health and prevent the spread of COVID-19.

Considering that in the state of available scientific knowledge, the risks of transmission of the COVID-19 virus are reduced among people who have been vaccinated, recently cured or who have just tested negative for the presence of the COVID-19 virus, the Government has taken restrictive measures, in order to control and prevent the spread of COVID-19, in activities and businesses which bring together a large number of people in the same place, and in which maintaining physical distance is difficult and thus poses an increased risk of virus transmission.

The measures taken are proportionate to the health risks caused and appropriate to the circumstances of the time and place, as well as based on the authorizations of Law No. 07/L-006 on Preventing and Combating COVID-19 Pandemics in the territory of the Republic of Kosovo. The measures taken through this decision do not define, in any case, the obligation of compulsory vaccination, since the restrictions imposed on the public can be met by presenting proof of vaccination status, the result of a test that concludes that the person is not infected with COVID-19, or that the person has recovered from COVID-19 and has sufficient antibodies.

The decision on measures against COVID-19 was based on an assessment of the situation of transmission intensity and the capacity of the health system to respond, but also by assessing them in light of the effects these measures may have on the overall well-being of society and individuals.

The Ministry of Health has coordinated decision-making with stakeholders, who have been directly or indirectly affected by the pandemic. The Government notes that these stakeholders have exercised their right to democratic influence in decision-making, in accordance with Article 45.3 of the Constitution.

The measures set out in this decision as well as the timelines serve to keep the epidemiological situation under control but do not exclude the possibility of undertaking new restrictive or mitigating measures.

Therefore, based on the recommendations given by the NIPHK, line ministries, stakeholders and relevant experts, it was decided as in the enacting clause of this decision.

Albin KURTI

Prime Minister of the Republic of Kosovo

To be sent to:

- Deputy Prime Ministers
- All ministries (ministers)
- Municipalities;
- Responsible inspectorates;
- Kosovo Police;
- Secretary-General of the OPM;
- Government Archive.