



Republika e Kosovës
Republika Kosovo - Republic of Kosovo
Kuvendi - Skupština - Assembly

Law No. 05/L – 044

**ON THE ENVIRONMENTALLY ENDANGERED ZONE OF OBILIQ AND
ITS SURROUNDINGS**

Assembly of Republic of Kosovo,

Based on the Article 65 (1) of the Constitution of the Republic of Kosovo,

Adopts:

**LAW ON THE ENVIRONMENTALLY ENDANGERED ZONE OF OBILIQ
AND ITS SURROUNDINGS**

CHAPTER I
GENERAL PROVISIONS

Article 1
Purpose

The purpose of this Law is to define the Municipality of Obiliq and its surroundings as a zone of a particular environmental risk, as a consequence of the continual pollution of air, land and water, as well as improvement of environmental conditions related to the quality of life and protection of human health.

Article 2

Scope

1. This Law shall regulate the general conditions for defining the environmentally endangered zone of the municipality of Obiliq and its surroundings, the manner of financing as well as the institutional mechanisms for implementation of this Law, through:

1.1. defining the borders of the zone endangered and protected from environmental pollution produced as a result of direct and indirect activities by the power stations and other polluting operators that operate in the zone of Obiliq and its surroundings;

1.2. determining the range of the Endangered Zone, based on the extent of contamination and the extent of risk;

1.3. defining institutional and state responsibility for initiating and accomplishing particular policies, adapting them to the specifics of the polluted and endangered zone;

1.4. defining the responsible institutions and necessary measures for treating and using mining pits, ash and coal dumps;

1.5. creating the necessary institutional policies and actions in the interest of the residents, by addressing their health needs, which are a result or consequence of living in a polluted environment;

1.6. building financial mechanism to accomplish state policies in the function of defining and managing the zone of special environmental status.

1.7. providing opportunities for the municipality of Obiliq to access co-generation projects.

Article 3

Definitions

1. Terms used in this Law shall have the following meanings:

1.1. **Resident** - permanent resident who live in the Zone;

1.2. **Zone** – the environmentally endangered zone of Obiliq and its surroundings;

1.3. **Municipality**- the Municipality of Obiliq;

1.4. **Ministry**- the Ministry responsible for Environment and Spatial Planning;

1.5. **Government** - Government of the Republic of Kosovo;

1.6. **Environment** - the natural surroundings: the air, land, water, climate, flora and fauna, in the totality of interaction and the cultural heritage as a part of the surroundings which is created by human;

1.7. **Safety strip** - an soil strip surrounding the source of pollution, of a required height, with woodland and grassland, which would impact in reduction of acoustic and other forms of pollution;

1.8. **Environmental pollution** - the direct or indirect influence of polluting material on the environment, caused by the activities of the legal or natural persons which have damaging effects on the quality of the environment and human health;

1.9. **Economic operators** – the companies operating in the zone and which by exercising their activities cause damage to the environment;

1.10. **Sources of pollution** – are considered: the surface mines; the mine pits; the ash and coal dumps; the power stations; the waste landfills;

1.11. **Grant for Special Zone** – a special grant, which is allocated by the Government of the Republic of Kosovo for the Environmentally Endangered Zone of Obiliq and its surroundings.

CHAPTER II BASIC PROVISIONS

Article 4

Announcement of the Endangered Zone as a Zone of Special Environmental Status

1. The Municipality of Obiliq shall be announced as a zone of special environmental status in the Republic of Kosovo.
2. The Municipality of Obiliq shall include its entire territory as defined in municipal cadastral zone.
3. The zone of special environmental status shall include the residences of neighbouring municipalities which are included within the range of the environmentally endangered zone.

Article 5

Environmentally endangered zone

1. The environmentally endangered zone shall cover the range in air distance up to five thousand (5.000) metres from the point between the two power stations in Obiliq.

2. The municipality shall, in cooperation with the Ministry, set out the investment priorities within the defined zones, according to the level of pollution.

Article 6

Protection measures from pollution sources

1. The municipality shall, in cooperation with the Ministry, undertake all necessary measures, foreseen in the Laws in force which regulate this area, to reduce the negative impact on the environment resulting directly or indirectly from sources of environmental pollution.

2. The measures should have as their key goal:

2.1. reducing emission of dust and other polluting elements within permitted environmental standards;

2.2. constantly reducing air pollution from the self-burning of coal in mines and coal dumps;

2.3. planning and accomplishing the closure of pits and re-cultivation in surface mines;

2.4. creating a safety strip by the polluting operators;

2.5. treating ash dumps in full accordance with the needs for their use, by balancing even with the social interest, as set out in the Law on Strategic Environmental Assessment in the Republic of Kosovo.

Article 7

Measures for protection of the Special Zone

1. The Ministry shall, in constant cooperation with the Municipality and the economic operators acting in the zone, shall take all measures to prevent the dumping of chemical remains in the Sitnica River and to stop their storage in spaces which do not meet environmental standards.

2. The Municipality and the Ministry shall constantly monitor the level of air, water and soil pollution and publish this data in a periodic and regular manner.

3. The Municipality shall, with the constant support of the Ministry and economic operators, engage in continual investment in creating, expanding and maintaining green spaces which help to reduce environmental pollution.

4. The Ministry shall, in constant cooperation with the economic operators, take all measures to reduce the acoustic pollution from the power stations, by installing necessary equipment to achieve such an objective according to the Law on Noise Protection.

Article 8

Additional measures for improvement of the life of the residents of the Special Zone

1. The Government shall, in cooperation with the Municipality, provide continual facilities for the residents of the Special Zone.
2. Government shall, in cooperation with the Energy Regulatory Office, provide:
 - 2.1. a lower quota of the price for electricity;
 - 2.2. a regular supply with electricity for the residents of the zone.
3. Government shall, in cooperation with the operator, provide:
 - 3.1. treatment with priority in equal conditions, to those who are residents of the special zone at least five (5) years, in the employment procedures for professions and job positions generated from the surface mines and the production of electricity in line with legal procedures of the Republic of Kosovo;
 - 3.2. the opportunity to have access to the use of power station steam for central heating.
4. The Municipality shall, in cooperation with the economic operators, define and implement continuous policies in creating infrastructure and stimulating special sports and cultural activities.

Article 9

Financial means dedicated to the Special Zone

1. The financial means dedicated to the Special Zone shall be provided by:
 - 1.1. collection of royalty from the respective institution, twenty percent (20%) of this royalty shall be reallocated from the Central Budget to the Municipal Budget where the business unit is located, dedicated in specific manner for investments in the development of community in the location where the business unit is located, in the field of environmental protection, infrastructure, sport, health and education;
 - 2.2. donations.

Article 10

Entities responsible for implementation of this Law

1. The Ministry of the Environment and Spatial Planning shall be the responsible authority for ensuring the implementation of this Law in the field of environment and spatial planning.

2. The Ministry of Health shall be the responsible authority for ensuring the implementation of this Law in the field of health.
3. The Ministry of Finance shall ensure the allocation of the necessary budgetary funds to accomplish the mandate set out in this Law and Law on Public Financial Management and Accountabilities as well as the Law on Local Government Finances.
4. The Municipality of Obiliq shall be the main local authority, responsible for implementing the provisions of this Law.
5. The Municipality shall, with the support of the Ministry, establish a special institution to monitor the parameters of pollution, which is independent from the polluting operators.

CHAPTER III FINAL PROVISIONS

Article 11 Issuance of sub-legal Acts

The Government and respective ministries with the Municipality shall, within six (6) months from the date of entry into force of this Law, issue sub-legal acts for implementation of this Law.

Article 12 Entry into force

This Law shall enter into force fifteen (15) days after its publication in the Official Gazette of the Republic of Kosovo.

**Law No.05/L - 044
30 November 2016**

President of the Assembly of the Republic of Kosovo

Kadri VESELI