



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

---

**PROJEKTLIGJIN PËR RATIFIKIMIN E MARRËVESHJES PËRKITAZI ME THEMELIMIN E  
FONDIT TË BALLKANIT PERËNDIMOR**

**DRAFT LAW ON THE RATIFICATION OF THE OF THE AGREEMENT CONCERNING THE  
ESTABLISHMENT OF THE WESTERN BALKANS FUND**

**NACRTA ZAKONA ZA RATIFIKACIJU KONVENCIJE O SPORAZUM O OSNIVANJU FONDA ZA  
ZAPADNI BALKAN**

<p>Kuvendi i Republikës së Kosovës, Në mbështetje të nenit 65 (1) të Kushtetutës së Republikës së Kosovës,</p> <p>Miraton:</p> <p><b>LIGJ PËR RATIFIKIMIN E MARRËVESHJE PËR THEMELIMIN E FONDIT TË BALLKANIT PERËNDIMOR</b></p> <p style="text-align: center;"><b>Neni 1 Qëllimi</b></p> <p>Me anë të këtij ligji ratifikohet Marrëveshja për themelimin e Fondit të Ballkanit Perëndimor.</p> <p style="text-align: center;"><b>Neni 2 Fushëveprimi</b></p> <p>Fushëveprimi i këtij ligji është Marrëveshja për themelimin e Fondit të Ballkanit Perëndimor, e miratuar si nismë nga Qeveria e Republikës së Kosovës me vendimin nr. 12/58 të datës 12/11/2015, si dhe me nënshkrimin e Marrëveshjes për themelimin e Fondit të Ballkanit Perëndimor, më datë 13.11. 2015, në Pragë.</p>	<p>The Assembly of the Republic of Kosovo, Based on Article 65 (1) of the Constitution of the Republic of Kosovo,</p> <p>Approves:</p> <p><b>LAW ON THE RATIFICATION OF THE AGREEMENT CONCERNING THE ESTABLISHMENT OF THE WESTERN BALKANS FUND</b></p> <p style="text-align: center;"><b>Article 1 Purpose</b></p> <p>This law ratifies the Agreement on the establishment of Western Balkans Fund.</p> <p style="text-align: center;"><b>Article 2 Scope</b></p> <p>The scope of this law is the Agreement on the establishment of Western Balkans Fund, approved as an initiative by the Government of the Republic of Kosovo by the Decision No. 12/58 of 12.11.2015, and by the signature of the Agreement on the establishment of Western Balkans Fund don in Prague on 13.11.2015</p>	<p>Skupština Republike Kosova, Na osnovu člana 65 (1) Ustava Republike Kosova,</p> <p>Usvaja:</p> <p><b>ZAKON O RATIFIKACIJU SPORAZUM O OSNIVANJU FONDA ZA ZAPADNI BALKAN</b></p> <p style="text-align: center;"><b>Član 1 Svrha</b></p> <p>Ovaj zakon ratifikuje Sporazum o Osnivanju Fonda za Zapadni Balkan.</p> <p style="text-align: center;"><b>Član 2 Oblast dejstva</b></p> <p>Delokrug ovog zakona je Sporazum o Osnivanju Fonda za Zapadni Balkan usvojen od strane Vlade Republike Kosova 12.11.2015, Odluka br. 12/58, i potpis sporazuma Osnivanju Fonda za Zapadni Balkan datuma 13.11.2015. godine u Pragu.</p>
---	---	--

<p align="center"><b>Neni 3</b> <b>Hyrja në fuqi</b></p>	<p align="center"><b>Article 3</b> <b>Entry into force</b></p>	<p align="center"><b>Član 3</b> <b>Stupanje na snagu</b></p>
<p>Ky Ligj hyn në fuqi pesëmbëdhjetë (15) ditë pas publikimit në Gazetën zyrtare të Republikës së Kosovës.</p> <p align="right">Kadri Veseli</p> <p align="center">_____</p> <p align="center">Kryetar i Kuvendit të Republikës së Kosovës</p>	<p>This law enters into force fifteen (15) days after publication in the Official Gazette of the Republic of Kosovo.</p> <p align="right">Kadri Veseli</p> <p align="center">_____</p> <p align="center">The President of the Assembly of the Kosovo Republic</p>	<p>Ovaj zakon stupa na snagu petnaest (15) dana od dana objavljivanja u Službenom listu Republike Kosova.</p> <p align="right">Kadri Veseli</p> <p align="center">_____</p> <p align="center">Predsednik Skupštine Republike Kosova</p>

**AGREEMENT CONCERNING THE ESTABLISHMENT  
OF THE WESTERN BALKANS FUND**

The Governments of the Republic of Albania, Bosnia and Herzegovina, Kosovo\*, the Republic of Macedonia, Montenegro and the Republic of Serbia, (hereinafter referred to as the "Contracting Parties"),

Guided by the provisions of the Western Balkans Joint Statement signed on 31 October 2014 in Bratislava,

HEREBY AGREE AS FOLLOWS:

**Article 1**

The Western Balkans Fund (hereinafter referred to as the "Fund") with its seat in Tirana is hereby established.

**Article 2**

The Statute of the Fund is hereby adopted and shall constitute an annex hereto.

**Article 3**

This Agreement and its annex thereto may be amended in writing by the consent of all Contracting Parties.

**Article 4**

1. This Agreement shall be opened for signature by the Contracting Parties.
2. This Agreement shall be adopted pursuant to the relevant legislation of each Contracting Party and shall enter into force as of the day on which the last instrument certifying adoption hereof is deposited with the Government of the Republic of Albania, acting as the Depositary.

**Article 5**

The Government of the Republic of Albania, acting as the Depositary, shall notify all Contracting Parties of the deposit of all instruments certifying adoption, the entry into force hereof, as well as of any other facts connected with this Agreement.

---

\* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of independence.

## Article 6

1. Each Contracting Party may withdraw from this Agreement at any time by written notification to the Depository, which shall then transmit a certified copy of that notification to each Contracting Party.
2. Withdrawal shall take effect six months from the date on which the notification was received by the Depository.
3. The dissolution of the Fund in accordance with the Fund Statute shall constitute termination of this Agreement in its relations with all other Contracting Parties.

## Article 7

1. The Government of Albania shall act as Depository of this Agreement.
2. The original of this Agreement in a single copy in the English language shall be deposited with the Depository which shall transmit a certified copy to each Contracting Party.

IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective Governments, have signed this Agreement

Done at Prague, on the thirteenth day of November in the year two thousand fifteen in a single original in the English language.

**Republic of Albania:**

**Bosnia and Herzegovina:**

**Kosovo\*:**

**Republic of Macedonia:**

**Montenegro:**

**Republic of Serbia:**

---

\* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of independence.

## **ANNEX 1**

### **STATUTE OF THE WESTERN BALKANS FUND**

#### **CHAPTER ONE PURPOSE AND OBJECTIVES**

##### **Article 1**

The purpose of the Fund shall be to promote:

- the development of closer cooperation between the Contracting Parties;
- the strengthening of ties between the Contracting Parties;
- the integration of the Contracting Parties into the European Union;
- common presentation of the Contracting Parties in third countries.

##### **Article 2**

The objectives of the Fund shall be pursued through financial support of activities in any fields which contribute to cross-border and inter-regional cooperation, and to the strengthening of regional cohesion, in particular in the following areas:

- promotion and development of cultural cooperation;
- promotion and development of scientific exchanges, research and cooperation in the field of education between the Contracting parties;
- promotion and development of exchanges between young people;
- promotion of sustainable development of the Contracting Parties.

Cooperation between the Contracting Parties in these fields regulated under other international treaties shall not be affected.

##### **Article 3**

The Fund can support projects originating in countries other than the Contracting Parties, provided that they shall have at least two (2) co-organizing partners from the Contracting Parties and that the topic of the projects shall be related to the Western Balkans region.

#### **CHAPTER TWO SEAT AND MEMBERSHIP**

##### **Article 4**

The Contracting Parties to the present Agreement shall be the Founders of the Fund. The seat of the Fund shall be in Tirana, Republic of Albania.

#### **CHAPTER THREE ORGANIZATIONAL STRUCTURE**

##### **Article 5**

The governing bodies of the Fund shall be:

- The Conference of Ministers of Foreign Affairs;
- The Council of Senior Officials;
- The Executive Director.
- The Secretariat;

#### **Article 6**

The Fund shall have and use, as occasion may require, a Seal having a device or impression with the inscription "Western Balkans Fund". The Seal of the Fund shall be kept in the custody of the Executive Director.

### **CHAPTER FOUR CONFERENCE OF MINISTERS OF FOREIGN AFFAIRS**

#### **Article 7**

The Conference of Ministers of Foreign Affairs shall be the supreme body of the Fund.

#### **Article 8**

The Conference of Ministers of Foreign Affairs shall be composed of the Ministers of Foreign Affairs of the Contracting Parties or their duly authorized representatives.

#### **Article 9**

The Conference of Ministers of Foreign Affairs shall designate from among its members its Chairperson, with the Chairmanship-in-Office rotating in the English alphabetical order of the names of the Contracting Parties.

#### **Article 10**

The term of office of the Chairperson of the Conference of Ministers of Foreign Affairs shall be one year and not renewable.

#### **Article 11**

The Conference of Ministers of Foreign Affairs shall approve the budget of the Fund, annual statements and clearance of budget presented by the Council of Senior Officials.

The Conference of Ministers of Foreign Affairs shall define the Contracting Parties annual contributions and their due dates.

#### **Article 12**

The Conference of Ministers of Foreign Affairs shall approve the annual and long-term plans regarding activities of the Fund.

#### **Article 13**

The Conference of Ministers of Foreign Affairs shall approve applications for Membership to WBF and their admission to the WBF.

#### **Article 14**

The Conference of Ministers of Foreign Affairs shall adopt/ approve the Rules of Procedure of the Secretariat and may decide on amendments thereto.

#### **Article 15**

The Conference of Ministers of Foreign Affairs shall adopt decisions by consensus.

#### **Article 16**

The Conference of Ministers of Foreign Affairs shall meet at least once a year. The Chairperson of the Conference of Ministers of Foreign Affairs shall schedule the place and date of its session.

### **CHAPTER FIVE COUNCIL OF SENIOR OFFICIALS**

#### **Article 17**

The Council of Senior Officials shall consist of Senior Officials from the Ministries of Foreign Affairs of the Contracting Parties, or other duly appointed representatives.

#### **Article 18**

The sessions of the Council of Senior Officials shall be chaired by the plenipotentiary of the Contracting Party whose representative holds the post of Chairperson of the Conference of Ministers of Foreign Affairs.

#### **Article 19**

The Council of Senior Officials shall prepare programs of activities of the Fund and reports on their implementation in the preceding year and submits them for approval to the Conference of Ministers of Foreign Affairs.

#### **Article 20**

The Council of Senior Officials shall prepare draft budgets of the Fund and reports on their utilization in the preceding year and submit them for approval to the Conference of Ministers of Foreign Affairs.

#### **Article 21**

The Council of Senior Officials shall lay down binding guidelines for the activities of the Executive Director and rules governing the preparation, acceptance and implementation of projects submitted to the Fund, taking into account the rules regulating the rights and duties of the Executive Director set forth by the Conference of Ministers of Foreign Affairs.

#### **Article 22**

The Council of Senior Officials shall draft programmes and documents for sessions of the Conference of Ministers of Foreign Affairs.

#### **Article 23**

The Council of Senior Officials shall adopt decisions by consensus.



#### **Article 24**

The Council of Senior Officials shall meet at least once every six months and in between these periods whenever it shall deem it appropriate for the implementation of the objectives defined in Chapter One. The Chairperson of the Council of Senior Officials shall schedule the place and date of its sessions.

#### **Article 25**

The Council of Senior Officials shall adopt its Rules of Procedures which shall be subject to approval by the Conference of Ministers of Foreign Affairs.

#### **Article 26**

The Council of Senior Officials may propose to the Conference of Ministers of Foreign Affairs amendments to the Rules of Procedures of the Secretariat, to be approved pursuant to Article 14.

### **CHAPTER SIX EXECUTIVE DIRECTOR, DEPUTY EXECUTIVE DIRECTOR AND THE SECRETARIAT**

#### **Article 27**

The Executive Director shall serve as chief executive officer of the Fund and shall represent the Fund. The Executive Director shall be responsible for the implementation of the objectives of the Fund and its effective performance.

The Executive Director shall be empowered to represent the Fund and its interests, and make representations on behalf of the Fund. On behalf of the Fund the Executive Director shall be empowered by the Conference of Ministers of Foreign Affairs to sign the Agreement between the Republic of Albania and the Western Balkans Fund and other relevant agreements for the functioning of the Fund.

The Executive Director shall head the Secretariat.

The Executive Director shall head all fundraising efforts on behalf of the Western Balkans Fund.

The Executive Director shall prepare reports and the budget for the relevant decision making bodies.

The Executive Director shall coordinate the launch of call for proposals, evaluations for project proposals and prepare the recommendations for grant actions to the Council of Senior Officials for decision.

The Executive Director shall coordinate the monitoring and evaluation of projects implemented.

The Executive Director shall frequently travel in the region contacting stakeholders and attending events related to the Fund's activities.

The Executive Director shall develop and coordinate the communication of the Fund.

#### **Article 28**

Each Contracting Party has the right to nominate its own candidate for the position of the Executive Director and Deputy Executive Director. The Executive Director and Deputy Executive Director shall be appointed by the Conference of Ministers of Foreign Affairs by consensus. The term of office of the Executive Director and the Deputy Executive Director shall be three years and non-renewable unless otherwise determined by the Conference of Ministers of Foreign Affairs.

#### **Article 29**

The Conference of Ministers of Foreign Affairs shall lay down rules regulating the rights and duties of the Executive Director and Deputy Executive Director, the manner in which they are to be performed as the terms of office of the Executive Director and the Deputy Executive Director.

#### **Article 30**

The Executive Director shall participate in the sessions of the Conference of Ministers and the Council of Senior Officials in an advisory capacity.

#### **Article 31**

The Executive Director shall be responsible for the functioning of the Secretariat and, in conformity with the legislation of the Contracting Party in the territory of which the Fund has its seat, shall determine the terms and conditions of employment for the staff of the Secretariat pursuant to the rules adopted by the Conference of Ministers of Foreign Affairs.

#### **Article 32**

The Executive Director shall regularly inform the Chairperson of the Council of Senior Officials on the manner, in which the program of activities of the Fund is implemented, prepare annual statements and clearance of the budget of the Fund.

#### **Article 33**

The Secretariat shall be responsible for services provided during sessions of the Council of Senior Officials and services provided in connection with the sessions of the Conference of Ministers of Foreign Affairs as well as other services related to the functioning of the Fund.

#### **Article 34**

The responsibilities of the Executive Director shall be of an exclusively international character. In the performance of his/her duties the Executive Director shall follow the rules defined by the Conference of Ministers of Foreign Affairs and shall not receive instructions from the third parties.

In the performance of their duties, the Executive Director and Staff of the WBF Secretariat shall not seek, receive or act on instructions from any government or from any other authority external to the Fund.

Each Contracting Party undertakes to respect the exclusively international character of the responsibilities of the Executive Director, and the Staff of the Secretariat and shall not seek to influence them in the discharge of their responsibilities.

#### **Article 35**

(1) WBF Staff shall consist of persons working under the authority of the Executive Director and the Deputy Executive Director.

(2) WBF Staff shall consist of representatives of the Contracting Parties, taking into account the adequate representation of all Contracting Parties.

(3) Staff Regulations shall include the rules, principles and procedures governing the selection of staff, their recruitment, classification of posts, and the efficient operation of WBF's Secretariat in attainment of the objective of this Statute.

#### **Article 36**

The official language of the Fund shall be English.

### **CHAPTER SEVEN LEGAL STATUS OF THE FUND**

#### **Article 37**

The Fund has full legal personality necessary for the fulfilment of the aims associated with its activities.

### **CHAPTER EIGHT FINANCES**

#### **Article 38**

Activities of the Fund shall be financed from contributions made by the Contracting Parties and financial contributions from other sources approved by the Council of Senior Officials.

#### **Article 39**

Each Contracting Party shall undertake to provide an annual contribution to the Fund within the first semester of each year. The annual contribution of each Contracting Party to the Fund shall be 30,000.00 € (thirty thousand Euros). The amount of the annual contribution may vary upon decision by the Conference of Ministers of Foreign Affairs.

#### **Article 40**

The rules governing the use of the financial means of the Fund shall be determined by the Conference of Ministers of Foreign Affairs.

**Article 41**

The Fund shall open its bank account in the Contracting Party providing the seat of the Fund. Financial resources of the Fund shall be kept in this bank account. The funds shall be administered by the Executive Director.

**CHAPTER NINE  
DISSOLUTION OF THE FUND**

**Article 42**

Following a decision of each Participants to the Western Balkans Fund to withdraw from the Western Balkans Fund under Article 6 of the Agreement concerning the establishment of the Western Balkans Fund, the Executive Director shall forthwith terminate any and all activities except for activities related to the due collection and liquidation of assets and payments of liabilities.

**Article 43**

Within the disbursement of assets, the liabilities of the Fund shall have priority over the refund of the contributions.