



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

Law No.03/L –237

ON POPULATION AND HOUSING CENSUS

The Assembly of Republic of Kosovo,

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

Adopts:

THE LAW ON POPULATION AND HOUSING CENSUS

Article 1
Purpose

1. This Law defines:

- 1.1. the way of organizing and development process of the Population and Housing Census in Kosovo;
- 1.2. establishment, composition, competencies and responsibilities of the bodies which organize, assist and conduct the census;
- 1.3. the beginning, duration and end of the census process;
- 1.4. documentation needed to conduct the census;
- 1.5. the procedure for arranging, processing and storing of data coming out by census results;

- 1.6. the way and form of publication of data from the responsible institution for official statistics;
- 1.7. maintain the confidentiality of individual data of the census (confidentiality), and
- 1.8. administrative measures against violators of the provisions of this Law.

Article 2

Scope

1. The census shall include: collection, processing and publishing of data and other information on population, households and dwellings in Kosovo according to international standards.
2. The data of the census are necessary for state institutions of the Republic of Kosovo, economic organizations, academic institutions, civil society, and other interested parties for the purpose of planning and implementation of overall development policies, scientific research and other analysis necessary for various areas of society.
3. The census shall provide information on:
 - 3.1. the number and geographic distribution of population in the whole country;
 - 3.2. demographic structure and other socio-economic characteristics of the population;
 - 3.3. the number, geographic distribution of settlements, facilities and buildings used for residential purposes or other destinations as well as evaluating the living conditions of the population.
 - 3.4. the census shall not include foreign embassies diplomats, other liaison offices and KFOR military staff.

Article 3

Definitions

1. Terms used in this law have the following meaning:
 - 1.1 **Resident population** - persons who have lived in their usual residence for a continuous period of time for more than twelve (12) months before the reference date of the census, or who have arrived in that place during the twelve (12) months before the reference date of the Census with the intention of staying there for over a year. Persons who have been temporarily absent for a shorter period

from their place of usual residence for a period of less than twelve (12) months for reasons such as work, study, travel, medical treatment or education should be included in the census, respectively in the resident population.

1.2 Supplementary list – the list in which is registered the population of Kosovo that are not considered resident population of Kosovo, but who are citizens of Kosovo and during the enumeration day their members of the family or the person himself provides information for them.

1.3 Household – considered each family or other community of persons, who declare that they are living together and jointly distribute their income to meet basic living needs.

1.4 Dwelling – one or more spaces, intended for housing, having an independent exit, and that at the census moment is inhabited or is intended for housing to an individual or group of individuals.

1.5 The competent institution for statistics of Kosovo - the competent institution for official statistics determined according to the Law on Official Statistics of the Republic of Kosovo.

1.6 Census - the population and housing census.

Article 4

The obligation to respond

1. All residents of the Republic of Kosovo are obliged that during the census to provide to the census officer all accurate data for themselves and their relatives, but they do have the right not to declare their ethnicity and religion.
2. For persons under fifteen (15) years, it is offered to the registering official data by the parent or nursery maid.

Article 5

The authority and method of the census

1. The census shall be organized and conducted by the competent institution for official statistics in Kosovo through the relevant bodies established by the provisions of this Law, under the direct supervision of the Central Census Commission
2. The method of the census is the traditional "door to door" method, through census questionnaires.

Article 6
Time and term of the census

1. The critical moment of the census is at 24:00, between 31st March and 1st April 2011. The Population Census in Kosovo shall be implemented from 01st -15th April 2011.
2. Upon completion of the census, in the period from 16-22 April 2011, the post census survey shall take place, which is based on a representative sample of enumeration areas up to 0.5 % of the population, in order to evaluate the results and census coverage and to evaluate the quality of data collected during the census.

Article 7
The census objective

The census shall include resident population, households and dwellings within the territory of the Republic of Kosovo.

Article 8
Data collected during the census

1. The data collected during the census shall be categorized in:
 - 1.1. data for individual identity: name, surname, gender, date of birth, place of birth (country, municipality), ethnicity, religion, gender, nationality, education level, permanent address-settlement, marital status, number of children born alive, mother tongue, other languages, the reason for the absence from the usual settlement, previous settlement, arrival at the usual settlement, the reason for migration, the level of ongoing education, the profile of ongoing education and the finished one, writing and reading ability, employment, name of the organization where he/she works, occupation, disability, and other social and economic matters;
 - 1.2. household data: name, first name and surname of the family head, relationship of the members with the head of the family, housing status, collective household residents or (nursing homes, workers hostels, education institutions, prisons, monasteries, etc.), agriculture data, including the surface of infields , the crops, livestock, agricultural machinery fund) and other modalities according to other methodological guidelines.
 - 1.3. data on dwellings and buildings: type of the dwelling, dwelling surface, dwelling status, type of ownership, number of rooms, and other equipment of the dwelling infrastructure, other sanitary equipment, construction year, type of building material, number of floors of the building.

2. Data for the former household members who are not part of the resident population of the Republic of Kosovo shall be recorded in the supplementary list.

Article 9

Data protection and their confidentiality

1. Bodies established under Article 12, 14 and 15 of this Law, during and after the census process, guarantee:

1.1. the full confidentiality of individual data of households and enumerated persons, in accordance with the provisions of this law, the respective Law on Official Statistics and provisions of the Law on protection of personal data;

1.2. prevention of unauthorized access to the group and individual data base, center where saving of the entire contingent of census is done;

1.3. the treatment of anonymous data of all personal data on the ones enumerated, during and after the census, technical inspection and certification of their accuracy.

2. Data collected, whether they are group or individual data, are anonymous to the third party and as such can be communicated only with authorization of confidentiality for purposes that are consistent with statistical purposes of the census. The recipient of the data is subject to the obligation for protection of professional secrecy of data. The recipient must take appropriate security measures and ensure that any publication of statistical results will be in accordance with legal provisions.

3. The personnel engaged in the census process must safeguard records from the “door to door” census as confidential information and as such are legally protected.

Article 10

The census results

1. The competent institution for official statistics shall publish:

1.1. preliminary results of the Population Census in local level until June 30, 2011:

1.2. in preliminary results are included:

1.2.1 number of resident population;

1.2.2 number of households; and

1.2.3 number of dwellings.

1.3. Final Results of the Population Census in Kosovo shall be published at latest until December 31, 2013.

Article 11

Census questionnaires and documentation

1. Census documents prepared by the competent institution for official statistics, respectively Office of Population Census are:

1.1. main questionnaires:

1.1.1. the individual questionnaire;

1.1.2. the household questionnaire;

1.1.3. the dwelling questionnaire;

1.1.4. supplementary list;

1.1.5. questionnaire for collective dwellings; and

1.1.6. questionnaire for collective households.

1.2 . additional questionnaires:

1.2.1. list of buildings;

1.2.2. daily summary;

1.2.3. list of summary records,

1.3. the enumerator, controller, supervisor and municipal commissions shall have special list of summary records.

Article 12

Central Census Commission

1. The highest institution for supervision of the Census is the Central Census Commission.
2. Central Census Commission, by the proposal of the Government shall be appointed by the Assembly of Kosovo.
3. Central Census Commission shall conduct and supervise the preparation, organization and carry out the census.
4. Central Census Commission consists of the Chairman and 16 other members, representatives of:
 - 4.1. Appointed person of the Office of the Prime Minister Chair,
 - 4.2 Ministry of Public Administration, Deputy Chair
 - 4.3 Ministry of Economy and Finances, Member,
 - 4.4. Ministry of Agriculture, Forestry and Rural Development Member,
 - 4.5. Ministry of Local Government Administration, member,
 - 4.6. Ministry of Internal Affairs Member;
 - 4.7. Ministry of External Affairs, Member;
 - 4.8. Kosovo Cadastral Agency Member;
 - 4.9. Ministry of Justice, Member;
 - 4.10. Ministry for Returns and Communities, Member;
 - 4.11. Competent institution for Official Statistics, Member;
 - 4.12. International Officer from ICO Member;
 - 4.13. International Officer from European Commission, Member;
 - 4.14. One representative from Serbian community, Member;
 - 4.15. One representative from other communities in Kosovo, Member;
 - 4.16. One representative from Academy of Science Member;

- 4.17. One representative from Civil Society, Member;
5. If a member leaves the Commission for rational reasons, his/her replacement shall be made by the relevant Institution and shall be approved by the Central Census Commission.
6. The mandate of the Central Census Commission ends on 31 December 2011.
7. After December 31st, 2011, until publication of final census results, the duties and responsibilities of the Central Census Commission shall be transferred to the institution responsible for official statistics.

Article 13

Competences of the Central Census Commission

1. The Central Census Commission:
- 1.1. approves the working regulation for the Central Census Commission, and questionnaires and documentation for the census proposed by the competent institution for official statistics that are in a function of implementing the provisions of this law;
 - 1.2. supervises the phases of preparation and progress of the census;
 - 1.3. approves the members of Municipal Census Commission proposed by relevant municipalities and determines their duties and responsibilities.

Article 14

The competent institution for official statistics in Kosovo

1. Duties and Responsibilities:
- 1.1. the competent institution for official statistics in Kosovo-The Office of Population Census, manages with financial and human resources for the population and housing census project;
 - 1.2. engaged staff for the census project, within and outside the competent authority for statistics in Kosovo shall be compensated according to the census project;
 - 1.3. draws the working program, defines the methodology, selects appropriate technical devices and software programs, designs questionnaires, issues necessary

instructions and decisions and independently manages the preparations for conducting the census on scientific grounds;

1.4. manages the entire census process and reports to the Central Census Commission regarding the use of these resources;

1.5. organizes the work for designing and printing of questionnaires, methodological guidelines, enumeration area maps, foreseen equipment (logos and identification cards, other hat marks, shirts or others, types of questionnaires according to official languages in Kosovo and languages that have the status of official languages according to the law on use of languages;

1.6 receives filled-in documentation after the census;

1.7 appoints coordinators, supervisors and controllers in municipal census commissions;

1.8 sets criteria for the selection of enumerators, controllers, supervisors and coordinators;

1.9 organizes and oversees the Professional and methodological training for members of municipal census commissions , carries out the work in the field in cooperation with municipal census commissions, by registering population, households and dwellings;

1.10 provides professional and methodological support to municipal commissions in the preparation and implementation of the census;

1.11. informs the authorities and relevant government bodies on the steps to be taken on the census, conducts public information campaign and reports to the Central Commission on the development of the census process;

1.12. obligates the municipal census commissions to undertake all measures necessary to implement the census process timely and with quality, accuracy and reliability;

1.13. submits the census material to the municipal census commissions;

1.14. designs and selects the sample for post-census survey, which shall be carried out within two (2) weeks after the census;

1.15. presents and publishes preliminary and final census results.

Article 15

Municipal census commissions

1. Municipal Census Commissions in each municipality represent the ethnic structure of population.
2. Municipal Census Commissions shall be established at least six (6) months before the census day.
3. Municipal Census Commissions shall be composed of nine (9) members: The Mayor of municipality, five (5) other representatives of the municipality, one (1) representative from civil society one (1) representative from minorities and one (1) representative from the competent institution for official statistics.
4. The tasks of the municipal census commission are the following:
 - 4.1. organize, implement and carry out the census project in their municipality;
 - 4.2. intervenes in any situation that appears as an obstacle during the census process, supervises enumerators, controllers and other staff involved in the relevant municipality and ensures normal functioning during the census phase;
 - 4.3. provides the list of settlements in their municipality three (3) months before the census day;
 - 4.4 receive and control the census materials from controllers, along with the supervisors;
 - 4.5. participates in the preparation of the first census results for the municipality along with the supervisor, in accordance with Article 10 of this Law, and within ten (10) days after the finalization of the census submits the first results and census materials to the competent institution for statistics;
 - 4.6. provide the number of enumerators and the other additional staff, in order to ensure normal, accurate and timely functioning of the census;
 - 4.7. according to the guidelines and decisions of the competent institution for statistics, undertakes all necessary measures for normal census operations and makes preparation and carries out the Census throughout the territory of the municipality, and provides information and assists the census staff around settlements;
 - 4.8. in cooperation with the competent institution for statistics, selects and trains enumerators and controls the implementation of their duties;

4.9. reports every week to the competent institution for statistics related to development of the census process within the municipal area, while during the census week reports every day;

4.10. provides the premises, accepts and properly stores the census materials in the municipality and afterwards submits them to the competent authority for official statistics.

Article 16

Informing

1. The competent institution of official statistics, through the media and wide information campaign will make public the goals, procedures and relevant legal obligations for the census.

2. Information, in accordance to paragraph 1 of this Article, shall begin at least six (6) months before the census.

3. The intensive information campaign must begin at least three (3) months prior to the census day.

Article 17

Maps

The competent institution of official statistics, at least three (3) months prior to the census day prepares all necessary updated maps for every enumeration area and other accompanying lists.

Article 18

Data processing

1. The competent institution for official statistics prepares the Center for memorizing the data in the whole census contingent and also makes: the control, encoding, processing, providing personal data and list of tables and tabulation of the census data.

2. The working space for the census shall be provided at least six (6) months prior the census takes place.

Article 19

Census staff

1. Tasks and responsibilities of the census staff:

- 1.1. enumerators - equipped with official authorization, go door to door to interview individuals by filling in the census questionnaires accurately;
- 1.2. backup enumerators equipped with official authorization for the census and they are going to be engaged to work only in the absence of enumerators;
- 1.3. controllers – equipped with official authorization, and as such assist and control the work of enumerators;
- 1.4. supervisors have the task to assist and control the work of controllers;
- 1.5. coordinators make the coordination between the municipal commission and the competent body for statistics;
- 1.6. coders - codify the whole contingent of the census material and prepare it to send it to the Memorizing Center;
- 1.7. operators – enter the data from the questionnaire to the computer system;
- 1.8. managing personnel - organize and prepare information, make awareness, logistics and administers the census in the field;
- 1.9. the personnel of competent authority for statistics along with experts prepare the census infrastructure and instruments, planning, trainings, supervision, processing, analysis, tabulation of grouped data, production and publication of the census results;
- 1.10. because of the specifics and relevance of the census project during registration, civil servants can also be a part of the census.

2. The competent institution for official statistics sets criteria for the selection, engagement and training of the census staff.

3. Assignment of enumerators shall be made by the Municipal Census Commissions.

4. Assignment of controllers shall be made by the competent institution for official statistics, based on the proposal of Municipal Census Commission.

5. Assignment of supervisors shall be made by the competent institution for official statistics.

6. The competent institution for official statistics selects and appoints the coders, operators, managing personnel and professional and scientific experts.

Article 20

Census funding

1. The population and housing census shall be financed by two (2) sources:

1.1. Kosovo budget; and

1.2. donors.

2. The draft budget account shall be prepared by the competent institution for official statistics, in cooperation with the Central Census Commission.

3. Financial agreements for funds collected from donors shall be specified through memorandums of understanding or agreements.

Article 21

Prohibition of similar data collection

1. Within the period of three (3) months prior conducting the Census, during the time of data collection and three (3) months after the census takes place, is prohibited to all individuals, local and international organizations to collect similar data within the territory of Kosovo. During this period, no other statistical activity in local or national level which can affect the census shall be developed.

2. In accordance with applicable law, all entities which, during the period mentioned above, aim at collecting data on individuals and houses or their private or commercial activities, must seek special authorization from the Central Census Commission.

Article 22

The Government of Kosovo, within fifteen (15) day from the day of entry into force of this Law, shall submit for approval to the Assembly, members of the Central Census Commission.

Article 23
Administrative sanctions

1. The staff engaged for the census, for any breach of the rules under Articles 9 of this law shall be considered infringement and shall be punishable with a fine of five hundred (500) to one thousand (1.000) €.
2. A person, who refuses to give the data required by the enumerator or other authorized person for the census under Article 4 of this law, or gives incomplete data shall be punished for offence with two hundred fifty (250) to five hundred (500)€.

Article 24

The Central Census Commission is obliged to approve questionnaires and relevant documentation for the census in accordance with the provisions of this Law, three (3) months prior the census takes place.

Article 25

Upon entry into force of this Law, the Law no. 2003/16 Registration of Population and Housing household in Kosovo („ Official Gazette’’ of the Provisional Institutions of Self Government in Kosovo / Pristina: Year II / No. 15 / 1 August 2007) shall be abrogated.

Article 26

This Law shall enter into force on the day of its publication in the Official Gazette of the Republic of Kosovo.

Law No. 03/L-237
07 October 2010

Member of the Presidency of the Assembly

Xhavit Haliti