



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

Law Nr. 03/L-039

ON SPECIAL PROTECTIVE ZONES

The Assembly of Republic of Kosova,

Pursuant to Article 65 (1) of the Constitution of Republic of Kosova and with the purpose of setting legal rules on special protective zones;

Hereby adopts

LAW ON SPECIAL PROTECTIVE ZONES

Article 1
Purpose of the Law

This law shall ensure protection of Serbian Orthodox Monasteries, Churches, other religious sites, as well as historical and cultural sites of special significance for the Kosovo Serb community, as well as other communities in Republic of Kosova, through the establishment of Special Protective Zones.

Article 2
Special Protective Zones

“Special Protective Zone” shall be an area defined by a map, or by a defined area surrounding a monument, building, group of buildings, ensemble, village, or historic town center that is safeguarded from any development or activity which could damage its historical, cultural, architectural or archeological context, natural environment or aesthetic visual setting.

Article 3 Objectives

The objectives of the Special Protective Zones are:

- a) to provide for the peaceful existence and functioning of the sites to be protected, and to preserve the monastic way of life of the clergy;
- b) to preserve the character and appearance of the sites to be protected, in particular, the historical, cultural, architectural or archeological context, natural environment or aesthetic visual setting; and
- c) to prevent adverse development around the sites to be protected, while ensuring the best possible conditions for harmonious and sustainable development of the communities inhabiting the areas surrounding such sites by regulating development and other activities.

Article 4 The Implementation Monitoring Council

The Implementation and Monitoring Council (hereinafter referred to as the “IMC”) shall be established to, *inter alia*, monitor and facilitate the implementation of this Law. The IMC tasks relevant to this Law shall include:

- a) supervise the delineation of the Special Protective Zones on the ground and their implementation;
- b) recommend changes to the boundaries of Special Protective Zones, and the restrictions to be applied therein should the circumstances so warrant;
- c) facilitate the resolution of disputes between the Serbian Orthodox Church and the central or local authorities of Republic of Kosova with regard to implementation of the provisions of the present Law; and
- d) advise the Republic of Kosova law enforcement agencies and other relevant institutions on security related issues affecting the religious and cultural heritage sites.

Article 5 Activities Prohibited within the Special Protective Zones

Any new activities in the following areas shall be prohibited:

- a) industrial construction or development, such as the exploration and exploitation of mineral resources and the building of dams, power plants or power lines, kilns and factories, and transit roads in rural areas; and
- b) construction or development leading to deforestation or pollution of the environment.

Article 6 Activities Restricted within the Special Protective Zones

Any new activity from the following list of activities may be restricted as circumstances warrant. Prior to any such activities being conducted in the following areas, the municipality concerned shall seek the agreement of the Serbian Orthodox Church. If no agreement is reached, the parties shall refer the matter to the IMC for review, in accordance with point c of Article 4 of this Law:

- a) commercial constructions or development such as structures or edifices taller than the monastery/ church/cultural monument to be protected; road/street construction; construction of warehouses, workshops, shops, restaurants, bars, cafes, hotels/motels, food stalls and kiosks, petrol and automobile repair stations, supermarkets, night clubs, any other large scale construction in rural areas;
- b) public gatherings, recreation and entertainment; and
- c) urbanization of agricultural land.

Article 7

Classification of Special Protective Zones

7.1 Special Protective Zones shall be defined for the following sites, as in the attached maps:

- a) Visoki Dečani Monastery, Dečan/ Dečani (this Special Protective Zone is identical to the previously established Special Zoning Area);
- b) Peć Patriarchate, Pejë/Peć;
- c) Gračanica Monastery, Prishtinë/ Priština;
- d) Church of Presentation of the Virgin, Lipjan/Lipljan;
- e) Devič Monastery, Skenderaj/ Srbica;
- f) Gorioč Monastery, Istog/Istok;
- g) Budisavci Monastery, Klinë /Klina;
- h) Sokolica Monastery, Zvečan /Zvečan;
- i) Draganac Monastery, Gjilan/ Gnjilane;
- j) Holy Archangels Monastery, Prizren/Prizren;
- k) Banjska Monastery, Zvečan / Zvečan;
- l) Zočište Monastery, Zoqishtë/ Zočište , Rahovec/Orahovac;
- m) Village of Velika Hoča/ Hoçë e Madhe, Rahovec/Orahovac;
- n) Duboki Potok Monastery, Zubin Potok/Zubin Potok;
- o) Church of Saint George, Gornje Selo/Gornjasellë, Prizren/Prizren;
- p) Sočanica Monastery, Leposaviq/ Leposavić;
- q) Hermitage with Church, Uljarice, Klinë /Klina; and
- r) Hermitage of Saint Peter of Koriša, Korishë/ Koriša, Prizren/ Prizren.

7.2 The Special Protective Zone for Sokolica Monastery Zvečan /Zvečan and the Isa Boletini Memorial Complex are Special Protective Zones as in the attached map. The Municipality concerned shall seek agreement from both the Serbian Orthodox Church and the Isa Boletini Museum Administration for any new activity as envisaged by Article 6 of this Law.

7.3 For the following Special Protective Zones defined in the attached map in the case of any new activities as described in Article 6 of this Law, the municipality concerned shall consult directly with the IMC:

- a) Gazimestan memorial monument and Bajraktarevo Turbe, Obiliq/Obilić will be included in the same Special Protective Zone;

- b) Zvečan medieval fortress, Zvečan / Zvečan;
- c) Medieval town of Novo Brdo, Novobërdë/Novo Brdo; and
- d) Vojnović Medieval/Old Bridge, Vushtrri/Vučitrn.

7.4 Special Protective Zones for the following sites shall be limited to a 100-meter area around their perimeter and shall be identified by the Republic of Kosova Cadastral Agency, in cooperation with the relevant municipalities in a map to be attached to this Law, which will form an integral part of this Law and shall be adopted before the end of the transitional period:

- a) Monastery of Saint Petka, Leposaviq/Leposavić;
- b) Monastery of the Holy Healers, Leposaviq/Leposavić;
- c) Monastery of the Holy Virgin of Hvosno, Istog /Istok;
- d) Monastery of Saint Mark, Korishë/ Koriša, Prizren/Prizren;
- e) Trinity Monastery, Mushtisht/Mušutište, Suharekë/Suva Reka;
- f) Church of the Holy Virgin, Sredskë/Sredska, Prizren/Prizren;
- g) Monastery of Saint Uroš, Nerodime/Nerodimlje, Ferizaj/Uroševac; *and*
- h) Monastery Binaç, Buzovik/ Buzovik, Viti/Vitina.

7.5 Special Protective Zones for the following sites shall be limited to a 50-meter area around their perimeter and shall be identified by the Republic of Kosova Cadastral Agency, in cooperation with the relevant municipalities in a map to be attached to this Law, which will form an integral part of this Law and shall be adopted before the end of the transitional period.

- a) Dolac Monastery, Klinë/Klina;
- b) Church of Saint Nicholas, Gjurakoc/Đurakovac, Istog/Istok;
- c) Church of the Holy Virgin Hodegetria, Mushtisht/ Mušutište, Suharekë/Suva Reka;
- d) Church of Saint Nicholas, Štrpce/Shtërpçë;
- e) Church of Saint Theodore, Biti e Poshtme/Donja Bitinja, Štrpce/Shtërpçë;
- f) Church of Saint Nicholas, Gotovushë/Gotovuša, Štrpce/Shtërpçë;
- g) Church of the Holy Virgin, Gotovushë/Gotovuša, Štrpce/Shtërpçë;
- h) Church of Saint George, Biti e Epërme/Gornja Bitinja, Štrpce/Shtërpçë;
- i) Church of Saint Nicholas, Mushnikovë/Mušnikovo, Prizren/Prizren;
- j) Church of Saint Nicholas, Bogoševci, Prizren/Prizren;
- k) Church of Saint Nicholas, Drajçiq/Drajçici, Prizren/Prizren;
- l) Church of Saint Nicholas, Sredskë/Sredska, Prizren/Prizren;
- m) Church of the Holy Apostles (or Saint Petka), Mushnikovë/ Mušnikovo Prizren/Prizren; and
- n) Church of Saint George, Sredskë/Sredska, Prizren/Prizren.

Article 8

The Establishment of the Special Protective Zone for the Historic Centre of Prizren

8.1 The Special Protective Zone for the Historic Center of Prizren shall be established by the municipal authorities of Prizren in cooperation with the IMC, and shall include Serbian Orthodox, Ottoman, Catholic, vernacular and other sites of historic and cultural significance. The following Serbian cultural and religious sites shall be included in the Special Protective Zone: Church of the Holy Virgin of Ljeviša; the old "Maras Mahala"; the Church of the Holy Savior; the Orthodox Seminary of Saints Cyril and Methodius; and the Episcopal Residence Complex (including the Bishop's residence, St. George Cathedral, Churches of St. George (Runović) and St. Nicholas (Tutić)).

8.2 The application of Article 6 of this Law on any new activities in the Special Protective Zone for the historic centre of Prizren shall be set forth in a Law.

Article 9
Special Provisions for the Village of Velika Hoča/ Hoçë e Madhe

The village of Velika Hoča/ Hoçë e Madhe, described in point m), paragraph 1 of Article 7 of this Law, shall have the right, in consultation with the municipality of Rahovec/Orahovac, to exercise limited authority over activities in the areas of protection and promotion of religious and cultural heritage, and rural planning with respect to its Special Protective Zone, in accordance with the relevant provisions of the legislation on Local Self-Government and the principles of the UNESCO Universal Declaration on Cultural Diversity. The IMC shall facilitate such consultation.

9.2. The application of article 6 of this Law on any new activities in the Special Protective Zone for the village of Velika Hoca/Hoce e Madhe shall be set forth in a Law.

Article 10
Spatial Planning

10.1 The Ministry of Environment and Spatial Planning shall ensure that spatial plans for areas within the Special Protective Zones are in conformity with the provisions of Articles 5 and 6 of the present Law and in accordance with Articles 12, 13, 14 of the Law on Spatial Planning.

10.2 The local authorities shall fully comply with the provisions of Article 10.

Article 11
Final Provisions

11.1 This Law shall supersede any provision in the applicable law that is inconsistent with it. Special Protective Zones also fully enjoy protection set forth under the Law on Cultural Heritage and its further amendments.

11.2 The IMC cooperates with the Republic of Kosova Council for Cultural Heritage, as foreseen in paragraph 8 Article 4 of the Law on Cultural Heritage on any other issue related to the protection and preservation of religious and cultural heritage in Republic of Kosova.

11.3 The IMC shall work closely with the Reconstruction Implementation Commission for Serbian Orthodox Religious Sites in Republic of Kosova.

11.4 The provisions of this Law shall in no way prejudice or alter any existing obligations undertaken with respect to any site designated under the UNESCO Convention Concerning the Protection of World Cultural and Natural Heritage.

11.5 The provisions of this Law shall not prejudice the ownership rights over the property located within the Special Protective Zones.

Article 12
Entry into force

This Law shall enter into force after its adoption by the Assembly of Republic of Kosova and after its promulgation in the Official Gazette.

Law Nr. 03/L-039
20 February 2008

President of the Assembly of Republic of Kosova

Jakup Krasniqi