



Non-governmental Organisation Emancipimi Civil Ma Ndryshe
EC MA NDRYSHE

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PRESS RELEASE

Municipality powerless in stopping extensions in the construction of high-rise buildings

Within the project of monitoring the work of Prizren municipal executive, EC Ma Ndryshe, over the past weeks, has reviewed the issue of extensions on the high-rise buildings.

EC Ma Ndryshe's research has revealed that the municipal government, notably the Directorate of Inspections remains powerless in stopping exceeding of new collective residential buildings. Consequently, drastic exceeds of the construction permits of the high-rise buildings has become a chronic phenomena in the city of Prizren.

Namely, it is about the business-residential building at the place called 'Atmejdani' in Tirana Street n.n., where the investor, despite many warnings by the Directorate of Inspections, has continued further building although municipal authorities has committed itself before municipal authorities for stopping an additional construction.

EC Ma Ndryshe has obtained from the Directorate of Urban and Spatial Planning (*hereafter DUSP*) and the Directorate of Inspections (*hereafter DI*) the relevant case file in which it appears that on 3 April 2013 the DUSP had notified the DI in taking measures and stop further works at this facility, due to urban planning violations.

Previously, on 25 March 2013, following the inspections at this building the DI had drafted a record sheet in which it is sought the adherence to the project, "or otherwise the measures provided by the law shall follow".

On 2 April 2013 the DI renders a decision ordering the investor to terminate all works on the overbuilding of the 6th storey, as the construction permit issued appeared to be B+P+6. On April 4, the DI, according to the record sheet, following the inspection carried out, orders the demolition works executed on the seventh floor within a period of one (1) day; otherwise a mandatory demolition shall be executed. As for this case the DI notifies the Kosovo Police as well. The following day, the DI, with additional decision, requires from the investor the demolition/removal of the overbuilding and recalls that "...despite the decision to stop construction works and the placement of tapes to prevent further works on the seventh floor, the investor has removed the tapes on its own and has continued with works ..."

It is worth noting that on 8 April 2013 the DI issues a conclusion on approval of the execution of the decision from the 5th April and states that the mandatory execution (demolition) shall be carried out by this authority on 12 April 2013. On the same day, at the DI's offices, the investor gives a statement that he will not continue works without being issued with the permit on extending the structure. On this date the DI proceeds at the Basic Court in Prizren – Offences Division the request to initiate proceedings against the investor of the business-residential building at a place called 'Atmejdani' in Tirana Street n.n., because of the construction of the seventh floor without a proper permit.

Meanwhile, on 11 April 2013, according to the record sheet, the investor gives a statement at the offices of DI that he has started to voluntarily demolish the overbuilding; stating further that the DI has no need to proceed with forced demolition procedure.

Nevertheless, the overbuilding was not demolished and the works on the additional storey (étage) are already in completion phase. This fact confirms that DI's commitment and investor's statements remain only a word on paper. Furthermore, it is an evidence for the anaemic actions of the municipal executive versus numerous violations already documented on urban planning requirements.

EC Ma Ndryshe herein reiterates the finding that the municipal government is not sufficiently committed at restoring urban order within the municipality of Prizren. Local executive must act vigorously to ensure regularity in the field of construction.

EC Ma Ndryshe has often expressed concern with the situation created in the field of urbanism, where, according to DUSP, about 80 percent of the buildings have not complied with the constructions permits and regulatory plans, as the cases in Jeni Mëhallë, Lakuriq and Dardania neighbourhoods, Prevallë/Prevala resort village, etc.

EC Ma Ndryshe repeats its call addressed to the Mayor to immediately request from the DI the drafting and publishing of a list of unauthorized buildings and those overbuilt to be demolished;

EC Ma Ndryshe recommends local government that as soon as possible initiates proceedings for demolishing structures built without construction permits and with extensions which have not complied with urban regulatory plans;

EC Ma Ndryshe calls upon the Investigation Unit and the judiciary to seriously address this issue and facilitate the rule of law in the field of urbanism.

Project of EC Ma Ndryshe for transparency oversight of the executive branch shall continue on publicizing the monitoring findings through regular press releases and project's website, where the findings shall be posted directly by the monitors. So far, all the monitoring findings, including regular press releases and other information relative to local government of Prizren, are published on regular basis on the project's website: www.online-transparency.org.

Thank you for your cooperation,

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