



**Non-governmental organization “Emancipimi Civil Ma
Ndryshe” EC MA NDRYSHE**

16 October 2012, Prizren

RESPONSE STATEMENT

Prizren Municipality and the Municipal Assembly ignore the MLGA’s request

EC Ma Ndryshe has obtained the explicatory letter from the Ministry of Local Government Administration (MLGA) directed to the municipalities of Kosovo, whereby clarifies that the limitations imposed for municipal public services to citizens with the payment of debts towards Regional and Local Public Enterprises, have no legal grounds and as such cannot be applied.

On 20 June 2012, the Deputy Prime minister and the Minister of MLGA, Mr. Slobodan Petrovic, has written to the mayors and the chairpersons of municipal assemblies regarding the conditioning of public services, namely conditioning of vehicle registration with the payment of waste bills and has ascertained that it is contrary with the legislation in force of the Republic of Kosovo.

MLGA has unequivocally made clear to the municipality of Prizren that, “Limitation of services by the municipality for the citizens, businesses and economic entities operating within its territory, with the payment of waste bills to regional municipal public enterprise, is contrary to the legislation in force of the Republic of Kosovo.”

In this note the MLGA has emphasized that the limitations can be applied based on the Administrative Instruction No. 3/2004, which foresees the payment of property tax for the purpose of provision of cadastral, construction, certain permits and motor vehicles ownership documents. In virtue of this, MLGA has requested from the mayors and the chairpersons to render their decisions in accordance with the applicable legislation of the Republic of Kosovo.

Although four months have passed from this clarification of MLGA, the Mayor of Prizren Municipality and the Chairman of Municipal Assembly have not taken any step for the annulment of the decision of the Municipal Assembly of Prizren for imposing limitations on the issuance of necessary documents on the registration of motorized vehicles with the payment of waste services. In February of this year, Municipal Assembly of Prizren had approved this decision in question with a simple majority. The decision on conditioning has been taken from the Municipal Assembly upon the request of the management of public enterprise unit of “Ekoregjioni” waste management in Prizren, due to the low level of returns from businesses as well as households.

EC Ma Ndryshe, through this response, calls upon the mayor and the chairman of the Municipal Assembly that in the shortest possible time to adhere to the MLGA's request note and take necessary steps in revoking this unlawful decision.

MLGA's clarifications in this regard are plain and those must be applied without any delay, in order to ward off the violation of the rights of citizens of Prizren municipality.

Furthermore, EC Ma Ndryshe requires from MLGA to be more decisive in ensuring lawfulness at the local level, specifically in relation to this case. The Ministry should use its executive mechanisms to force Prizren Municipality to interrupt an unlawful practice, which is ongoing still after the explanation provided by the MAPL four months ago.

Finally, EC Ma Ndryshe requires from the citizens and businesses in Prizren to pay their waste bills duly, in order to avoid the practices of limitations imposed by local government, which, as determined by the MLGA, are unlawful.

The project of EC Ma Ndryshe for the 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. By now, 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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