



**Non-governmental Organisation Emancipimi Civil Ma Ndryshe**

14 September 2012, Prizren

## **PRESS RELEASE**

### **Non-compliance to construction requirements to be sanctioned by the institutions**

We have continued with the oversight of Prizren Municipality's executive work in September. During this cycle, the focus of monitoring were the sector of urban planning and that of the inspections; respectively, constructions in the Historic Centre of Prizren. EC Ma Ndryshe, herein, expresses concern with situation emerged in the field of urban and spatial planning in the Historic Centre of Prizren, where constructions do continue by non-adherence to the construction licenses issued from the DUSP.

EC Ma Ndryshe requests from the Mayor, Mr. Ramadan Muja, to initiate proceedings for demolition of all the unpermitted buildings erected and those built out of construction requirements in the Historic Centre of Prizren, and so bring to an end the trend of urban degradation of the historic part of the city. This tendency is confirmed with specific cases, which were investigated from the EC Ma Ndryshe's monitors.

Commercial-residential complex "Euro-Center" was built within the Protected Area of Historic Centre of Prizren. Initially, the Institute for Protection of Cultural Monuments has issued its Consent dated 05.02.2009, with protocol no. 24. Apart from issuance of the Consent, the Department of Urbanism and Spatial Planning issued a building permission no. 04/4-351-70 dated 29.06.2009, with a technical regulation of height 2B+P+2. In the explanation of an act decision dated 29.12.2010, states, "The investor of construction undertaking had made a payment for the construction of the third storey at the Directorate of Urbanism, whereas for the construction of the fourth storey, where all the rough works were already executed, possesses no construction permit", which implies that the inspectorate (municipal executive) leans in being "generous" towards this investor enabling higher-storey construction than foreseen.

Apart from already completed construction of this building, the investor didn't stop at this point, but started with annexing adjacent to this building out of any criteria. However, this is not a solitary case when investors do not adhere to the construction permits. One such object is under construction, and those responsible must take preventive actions within the shortest possible time, otherwise would be too late, as in case of "Euro-Center."

Specifically, for exceedances of rough framing construction near Shuaip Spahia's house, on September 5<sup>th</sup> of this year, IPCM has notified the Directorate of Inspectorates of Prizren Municipality. According to the decision of the Directorate of Inspectorates, dated 7 September 2012, the investor did not comply with urban permit, "and has exceeded in size and level-height of the building." By this decision, DI has ordered the investor of the construction that, within 7 days, to demolish the added parts in the size and storey-height.

The Islamic Community Council in Prizren has also raised its voice regarding this case; initially on April 24<sup>th</sup> and then on September 10<sup>th</sup> in which the municipality, inspectorate, MCYS and IPCM were requested for “inspection of works and verification of the project permitted, since the construction is overbuilt and has strangled the appearance of Sejdiu Bey’s mosque.” On 12 September 2012 DI submitted a request to the Municipal Minor Offences Court to initiate a misdemeanour procedure on the grounds that the investor has failed to adhere to the construction permit issued from the DUSP (documents attached to this press release).

Few months ago, the monitors of EC Ma Ndryshe have evidenced gross violations in this zone, specifically the works executed in: Hotel Theranda, the former “Shtëpia e Mallrave” (Shopping Mall) in Shatërvan Square, rough framing construction near IPCM’s building, the construction of several hotels, etc.

EC Ma Ndryshe repeats the call to local government in Prizren to urgently take necessary actions in terms of regulation the situation in the Historic Centre of Prizren and to promptly enforce the Conservation and Development Plan for the Historic Zone of Prizren (2008).

Municipal executive should undertake definite prevention steps and, in case of continuation of works, punitive actions against individuals who do not adhere to the construction requirements. Furthermore, as written in one of the minutes of DI, since investors fail to voluntarily demolish, then this authority must execute forceful demolition of additional level heights with the expense costs imposed to reckless investors.

At the same time EC Ma Ndryshe requires more effective inter-institutional operation and calls upon the judiciary to consider the files of Prizren municipality experts, thus initiate court proceedings against those who infringe the provisions of the Regulation on Construction of Buildings.

EC Ma Ndryshe’s project for monitoring the transparency of the executive branch shall keep on publicizing monitoring findings through regular press releases and through the project’s website, in which these findings are posted directly from the monitors. By now, all the findings from the monitoring, including regular press releases and other information relative to local government of Prizren, are published on regular basis on the website of the project: [www.online-transparency.org](http://www.online-transparency.org).

Thank you for your cooperation,

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