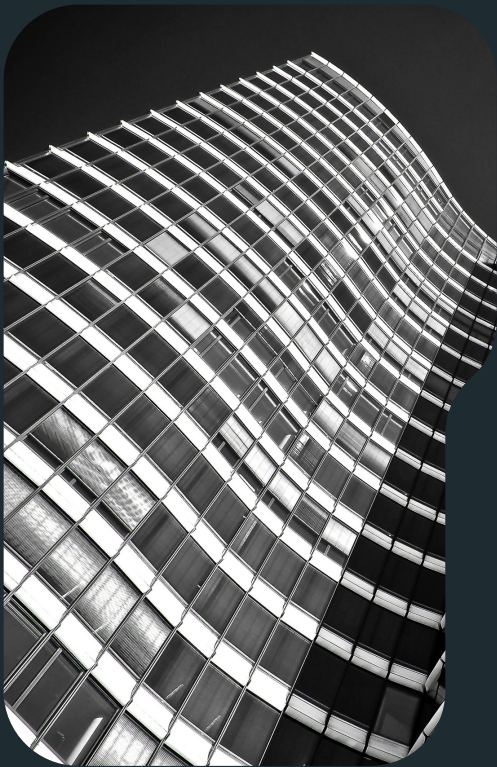


***TRANSPARENCY AND ACCOUNTABILITY
OF PUBLIC INSTITUTIONS DURING THE GRANTING OF
PERMITS AND LICENSES***



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INTRODUCTION

Spatial sustainability relates to the long-term ability of cities and settlements to successfully plan their urban growth, maintaining economic growth, creating sustainable environments and enhancing social development. [1]

"Sustainable cities and communities" – Goal 11 for Sustainable Development, a goal which takes into account the (lack of) urban planning in Kosovo that leaves much to be desired. The fundamental challenges with urban management, specifically with the issuance of urban-environmental permits, continue to be present despite the signing of Agendas and Agreements which indirectly aim at their elimination. Ensuring social well-being alongside continuous efforts to create a stable environment is undoubtedly a challenge in itself, especially for a country in transition like Kosovo.

While sustainability is being talked about all over the world, at the same time, without the need to carry out any deep analysis, it is enough to look at the construction of multi-residential buildings, which continue to be built without meeting the criterion of 9m² of green space per inhabitant.[2] Unplanned urban sprawl as a result of uncontrolled population movement has resulted in an increase in the number of settlements, operators and illegally constructed buildings throughout Kosovo. The "Report on the state of the environment in Kosovo 2021" by the KAEP, points out that even though strategies and action plans have been drawn up and approved for all environmental sectors both at the central and local level [3], the non-linear communication between them as and the level of implementation of strategic documents from them remains partial and insufficient to ensure proper planning. The protracted period of radical changes in public institutions for various reasons, as well as the low level of accountability and transparency as central principles for good governance, have prompted an imperative need for monitoring and establishing a real cooperation with responsible government bodies.

Consequently, this thematic report will mainly focus on identifying the barriers encountered during the granting of permits and licenses and consents, paying special attention to the level of transparency and accountability demonstrated by the institutions. While examining these two indicators, we aim to identify areas where recommendations and improvements can be offered. We will also highlight best practices that can serve as models for increasing the overall efficiency and effectiveness of granting permits, licenses and consents, thus contributing to the development of strategies and policies that promote a more transparent, responsible and more efficient for their delivery.

[1] The future of Territorial Planning in Kosovo, Ministry of Environment, Spatial Planning and Infrastructure in partnership with UN-Habitat Kosovo, available at: https://unhabitat-kosovo.org/wp-content/uploads/2021/09/MMPHIUN-Habitat_Kosovo-2021-Raporti_i_Simpoziumit-E_Ardhmja_e_Planifikimit_Territorial_ne_Kosove.ALBs_.pdf

[2] World Health Organization: Health Indicators of Sustainable Cities in the Context of the Rio+20 UN Conference on Sustainable Development, available at: https://cdn.who.int/media/docs/default-source/environment-climate-change-and-health/sustainable-development-indicator-cities.pdf?sfvrsn=c005156b_2

[3] MESPI/KAEP, Annual Report on the State of the Environment 2020.

METHODOLOGY

This thematic report presents a comprehensive analysis conducted through a research methodology combining qualitative and quantitative ones. The research process involves reviewing a wide range of relevant documents and collecting data and information from various sources, including reports published by the targeted institutions as well as various societies. The integration of qualitative and quantitative methods used enabled a more complete exploration of the research topic, increasing the validity and reliability of the findings presented in this report.

In order to make this report as comprehensive and relevant as possible, meetings and advocacy forums have been organized with representatives from MESPI as well as officials of the Directorates of Urbanism and Environmental Protection at the municipal level. In addition, central and municipal level institutional actors, representatives of various businesses, potential investors, as well as consultants and ecologists were interviewed. These interviews allowed us to gather knowledge, learn details that the legislation often does not provide, and gain expertise in this field. In addition, in order to be equipped with first-hand information, our monitoring officers actively participated in the procedures for granting environmental permits, thus increasing the accuracy and reliability of the report's findings and recommendations.



LEGAL BASIS

During the research and analysis of the legislative framework, 47 permits have been identified which are administered by MESPI. These permissions are elaborated in Administrative Instructions and by-laws which originate from a multitude of laws. The unreasonable complexity of the entire legal framework has led to independent research outside the traditional boundaries, raising doubts about the efficiency and transparency of this sector. With increasing institutional capacity gaps in combination with inconsistencies in various legal frameworks, the actual planning of municipal territories, environmental management (especially of urban areas) is becoming more and more difficult. According to the World Bank report, a total of 31 permits can be simplified, merged or even eliminated. Detailed below are the three main laws from which the Administrative Instructions are derived, indicators of the procedures for obtaining Environmental Permits, Municipal Environmental Permits and Water Permits, processes detailed in a separate chapter.



Law of Nature Protection

The objective of this law is to create a favorable environment that promotes the well-being of the people of Kosovo. It also aims to define a legal framework that facilitates the adoption of standards in harmony with those of the European Union, thus ensuring a healthy environment for the citizens of Kosovo.



Law on Waters of Kosovo

This law regulates all issues related to water: rivers, reservoirs, natural resources, groundwater, wetlands, land along the banks of rivers, issues related to their management, use and distribution waters, protection and conservation of waters.



Law for Environmental Impact Assessment

This law aims to ensure a high level of environmental protection through the prevention of damages and negative effects on the environment of public or private projects, to determine the rules and procedures for the identification and assessment of environmental impacts, to ensure preventing or reducing negative impacts[5].

The main purpose of this law is to ensure that the creation of such an environment is achieved in a way that is affordable and conforms to sustainable economic development.

This law identifies the public authorities that will implement one or more provisions of this law, the creation of specific authorities and the obligations of each public authority arising from this law. Also in this law, the rights and obligations of persons or enterprises affected by the activities of such public authorities or persons interested in the promotion of a healthy environment in Kosovo are defined.[4]

The law in question has the powers to implement all definitions, elaborates all the roles of high government bodies, public authorities, describes the documents as well as the main measures for environmental protection, various obligations including rehabilitation measures, EIA procedures, Environmental Consents and Permits, which are described in detail in Administrative Instruction (MESPI) No. 04/2022 for Environmental Permits.

Also, this law includes protection from the harmful actions of water, including floods, droughts, erosion, water facilities and infrastructure, water financing, as well as the conditions, ways and actions by which water can be used or discharged. The sub-legal act determined according to Article 17 of this law which specifically regulates the water right, respectively the implementation of the Water Law and River Basin Management Plans through water acts as administrative instruments, is the Administrative Instruction for Permit Procedures Aquatic.

This document defines in detail the ways and process of implementing River Basin Management Plans, within the process of water resources administration. The directive defines the manner and process of issuing water acts (Water Conditions, Water Consent, Water Permit and Water Ordinance), through which the interested parties are guaranteed the right to use, regulate and discharge water.

The administrative guidelines that originate from this law are aimed at mitigating the possible environmental effects from the proposed plants, constructions or activities, before their realization:

Administrative Instruction for Licensing of Environmental Impact Assessment Reporters;

Administrative Instruction MESP – No. 16/2015 on Information, Public Participation and Interested Parties in the Proceedings of Environmental Impact Assessment;

Administrative Instruction MESP – No. 08/2015 on Determining the Tariff Value of Services Related to the Process of Environmental Impact Assessment;

These guidelines are aimed at mitigating possible environmental effects from proposed plants, constructions or activities, before their implementation. Indirectly, the aforementioned legal acts promote transparency, public participation and accountability, ensuring that the concerns or interests of communities affected by planned investments are taken into account.

Ultimately, these regulations serve as a vital tool for promoting responsible development, minimizing negative impacts on the environment, and promoting a harmonious coexistence between human activities and the nature.

[4] Official Gazette of the Republic of Kosovo, Law no. 03/L-233 for Environmental Protection, accessible at: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2716>
[5] Official Gazette of the Republic of Kosovo, Law no. 08/L-181 for Environmental Impact Assessment, accessible at: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2708>

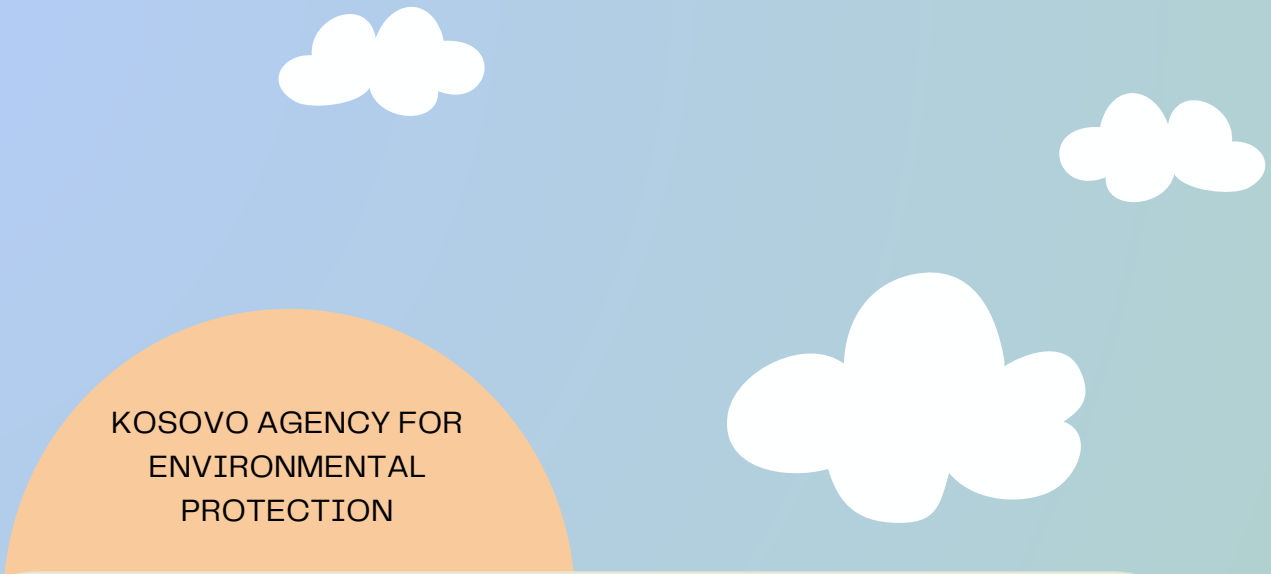
ORGANIZATIONAL STRUCTURE

MINISTRY OF ENVIRONMENT,
SPATIAL PLANNING AND
INFRASTRUCTURE

KOSOVO CADASTRAL
AGENCY

The Kosovo Cadastral Agency is the authority responsible for the maintenance of the cadastral database, for the maintenance of property registers, for cartography and GIS, for the unified address system, for the national spatial information infrastructure and for the administration of the Information Technology Infrastructure (IT).

As a central level institution, KCA has powers to issue guidelines and work frameworks related to all cadastral activities. KCA is responsible for the training and certification of officials in the Municipal Cadastral Offices for operation in the Cadastral Information System for Land in Kosovo and for the training, certification and licensing of surveyors and surveyor companies for the provision of cadastral services.[6]

A stylized illustration featuring a large orange semi-circle representing a sun on the left, and three white, fluffy clouds of varying sizes scattered across a light blue background.

KOSOVO AGENCY FOR ENVIRONMENTAL PROTECTION

The Kosovo Agency for Environmental Protection (KAEP) is the competent government body for granting Environmental Permits and Water Permits. This body is committed to maintain the quality of air, water, soil and biodiversity through integrated environmental monitoring, efficient environmental information system and continuous reporting on the state of the environment, promote the use of renewable energy sources and sustainable use of natural resources in order to provide a healthy environment for current and future generations in harmony with the progress of economic and social developments. [7] This is also the mission of KAEP, whose vision is efficient environmental monitoring, information and reporting.



[7] Mission of the Kosovo Agency for Environmental Protection, accessible at: <https://ammk-rks.net/per-ne>

THE ACTIVITY OF KAEP IS AS FOLLOWS:

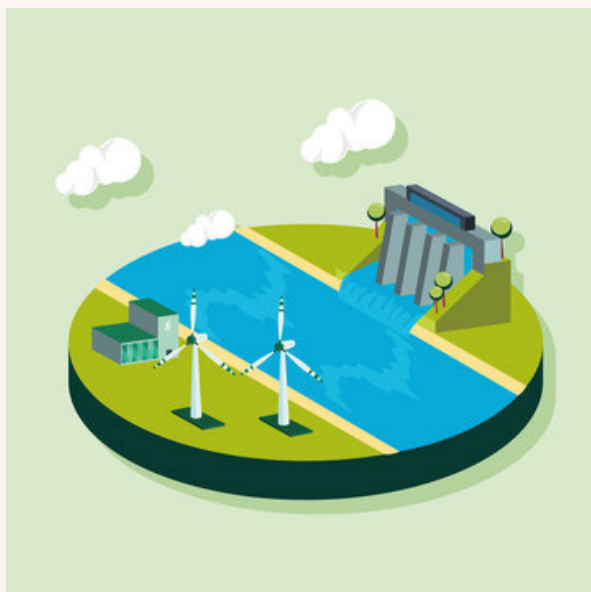


- To provide the appropriate information for the administration, the Government and the Assembly of Kosovo for the implementation of environmental protection policies;
- To develop and coordinate the unique information system for the protection of the environment related to the monitoring system of the state of the environment in Kosovo, as well as to collect data on the environment;
- Establish and maintain reference centers with databases for monitoring the environment (socio-economic data, pressures on the environment, state and quality of the environment);
- To develop the procedures for the processing of the collected data for the environment and their assessment (modeling, presentation and visual representation);
- To carry out professional work while determining the content, methodology and way of monitoring the state of the environment;
- To advance and compare the quality of environmental data;
- Prepare reports on the general state of the environment in Kosovo, goals, and report on the main sectors (air, land, water, biological diversity, climatological changes);
- Prepare reports on certain environmental protection issues such as regions with increased radioactivity, environmental quality, health and similar;
- Performs advisory work for the definition, maintenance and follow-up of projects and programs for the protection of the environment;
- To assist administration bodies in developing new forms of policy for environmental protection and monitoring the implementation of plans and programs for environmental protection;
- To cooperate with the European Environment Agency – EEA which is part of the European Environment Information and Observation Network – Eionet;
- To cooperate with other international institutions and organizations for the protection of the environment;
- To provide access to all information about the environment of Kosovo according to standards;
- The use and interstate exchange of environmental data will be regulated by law.
- KAEP also performs other works defined in the act of establishment that serve to realize the activity of KAEP [8]



WHAT ARE ENVIRONMENTAL PERMITS, MUNICIPAL PERMITS, INTEGRATED AND WATER PERMIT?

Environmental Permit means the official document issued in writing by the ministry with which the operator is allowed to develop activities in accordance All activities that have environmental consent are required to be provided with an environmental permit, excluding activities that are subject to an integrated environmental permit^[10], respectively, constructions which are supposed to have a greater impact on the environment.



The Water Permit represents a right granted in writing by the institutions defined in Law No. 04/L-147 for Kosovo Waters to use or discharge a quantity of water for a specific purpose and time^[1] EG hydropower plants that aim to generate electricity must be equipped with a Water Permit before they start generating power.

[9] Official Gazette of the Republic of Kosovo, Administrative Instruction No. 04/2022 for Environmental Permits, accessible at: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=59421>

[10] Ibid.

[11] Official Gazette of the Republic of Kosovo, Law No. 04/L-147 on Kosovo Waters, accessible at: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=8659>



Integrated Environmental Permit means the official document issued in writing by the ministry that allows the operation of all or part of the plant, which contains the necessary conditions to guarantee that the plant is in accordance with the requirements set forth in Law No. 03/L-043 for Integrated Pollution Prevention and Control and achieves a high standard of environmental protection and human health. [12]. Concrete case: The thermal power plants in Obiliq are equipped with an Integrated Environmental Permit despite their impact on the environment.

Municipal Environmental Permit according to Law No. 03/L-025 for Environmental Protection, is a written document issued by the municipality, for activities that have an impact on the environment at the municipal level, according to the aforementioned law. [13]. This Permit is always granted in relation to the Municipal Development Plan, respectively, with the urban plan in the location where the construction is planned.



[12] Official Gazette of the Republic of Kosovo, Law No. 08/L-145 on Integrated Pollution Prevention and Control, accessible at: <https://gzkrks-gov.net/ActDetail.aspx?ActID=71734>

[13] Official Gazette of the Republic of Kosovo, Law no. 03/L-233 for Environmental Protection, accessible at: <https://gzkrks-gov.net/ActDetail.aspx?ActID=2716>

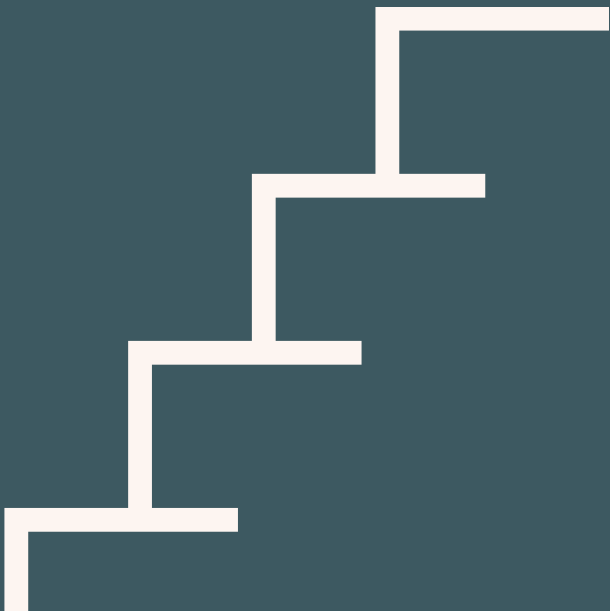
WHAT IS THE DIFFERENCE BETWEEN ENVIRONMENTAL PERMITS, INTEGRATED ENVIRONMENTAL PERMITS AND MUNICIPAL ENVIRONMENTAL PERMITS?

Unlike the Environmental Permit, the Integrated Environmental Permit (IMP) is needed only in cases where we are dealing with the operation of plants that directly affect the environment, such as plants that generate electricity. We can point out that IMP should be provided for projects that tend to have a greater impact on the ecosystem. The same as the Environmental Permit, the Integrated Environmental Permit and the Water Permit are issued by MESPI, while the Municipal Environmental Permit, as its name indicates, is issued by the respective municipality where the investment is planned to be finalized.

MEP must coincide with the Municipal Development Plan, a plan previously approved by the ministry in accordance with the Spatial Plan of Kosovo.




WHAT STEPS MUST BE FOLLOWED TO OBTAIN AN ENVIRONMENTAL PERMIT, WATER PERMIT, LICENSE?



ENVIRONMENTAL IMPACT ASSESSMENT REPORT (EIA)

An investment of any kind that wants to be implemented in the Republic of Kosovo must definitely be subject to the criteria for securing the EIA report. This report identifies and elaborates the negative impact that the planned investment may have on the environment, where it will be realized. Based on the findings of the report, the drafter of the report, whether he is a legal person or a natural person, elaborates the measures that will be taken in order to reduce the negative impact and rehabilitate the land after the finalization of the investment. The EIA represents almost the most weighty document for a permit application, whether it is a private or public investment. The content of the report containing detailed information about the project, including a non-technical summary, the negative impact it may have on the environment, the base scenario, the proposed alternatives as well as the measures to mitigate the significant negative effects thus facilitating the work of the monitors, institutional inspectors, auditors or potential donors.

So, the EIA is obtained after measuring certain parameters, parameters which for electricity generating plants are not measurable if the plant itself is not in operation, which contradicts the licensing procedures from ERO. since without a license that plant is not allowed to operate ie. it is not possible to measure the polluting parameters set forth in Administrative Instruction (MESPI) No. 04/2022 for Environmental Permits, where according to Article 1 its purpose is:



Prevention and control of pollution from industrial activities, in compliance with Directive 2010/75/EU on industrial emissions / prevention of pollution. [14]

The conditions that the operator must follow in order to be provided with an Environmental Permit are described in:

"ADMINISTRATIVE INSTRUCTION NO. 04/2022 FOR ENVIRONMENTAL PERMIT",

where according to Article 5, the operator must submit to the Ministry:



In cases where we are dealing with obtaining a Water Permit, it is necessary:

- Water permit for use of water from RRBA (provided in the ministry);
- Water permit for water discharge from RRBA (provided in the ministry);

In cases where we are dealing with special activities that foresee the use or exploitation of stone quarries in Kosovo, it is necessary:

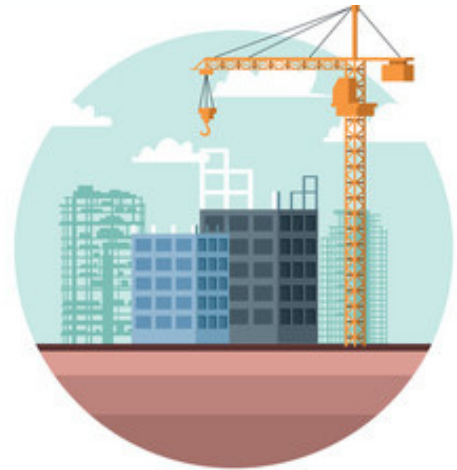
- Permission for special activities from ICMM (provided in the ministry);
- License to use natural resources from ICMM (provided by the ministry).

Also, additional documents are needed such as:

- Consent from the Emergency Management Agency (EMA);
- Other previously issued permits related to the relevant activity;
- Service fee payment receipt for environmental permit.



In case the investor has been able to provide all the appropriate documentation and after successful field implementation, then the equipment operator with an Environmental Permit. If the documentation is not complete, the commission notifies the operator to complete the required documents within 30 days, otherwise, the Ministry will stop the procedure.



The prepared documentation is submitted to the ministry in 5 physical copies and one copy in electronic form, all originals signed by the responsible person of the company. After an applicant provides the above-mentioned documents, the Environmental Permit Commission has the obligation to visit it in the field in order to verify the environmental conditions if that enterprise meets the environmental conditions for the development of the activity.

The Environmental Permit is issued for a period of 5 years and contains information such as:

- The name of the Ministry as competent authority that issues environmental permits;
- The name and address of the company to which the environmental permit is issued;
- The location of the activity;
- Environmental permit obligations.



EXISTING CHALLENGES DURING THE GRANTING OF PERMITS IN KOSOVO

Almost 2 years ago, the website lejelicensa.rks-gov.net/ was launched, this platform is published on the official website of the Office of the Prime Minister of the Republic of Kosovo established on the basis of Law No. 04/L-202 "On the permit and license system". This law determines the creation, management and operation of the register of permits and licenses at the central level in the Republic of Kosovo. This platform contains all types of permits and licenses (including certifications, authorizations, approvals, consents, etc.) that central level institutions give or issue in order to regulate professional economic, commercial, public or private activities. [15] Unfortunately, this platform has not been updated for over a year.



Figure 4. Home page of the lejedhelicensa.rks-org.net website

[15] Prime Minister's Office, Central Registry of Permits and Licenses, accessible at: <https://lejelicensa.rks-gov.net/>



The competences for its maintenance are held by the Office of the Prime Minister in cooperation with the Ministry of Internal Affairs. After the conducted interviews, we found that the change of employees of the responsible parties has caused its proper dysfunction. Seen from the perspective of a potential investor, based on elaborate administrative procedures (of which even the MESP officials themselves were not aware), the investor tends to follow a procedure for applying for a Permit/License which can not be proper.

Seen from the point of view of a monitoring officer or researcher of any kind – such will be provided with inaccurate information as all published statistics and illustrated diagrams date back months. Observed by the employees themselves, who deal with the review of a multitude of applications every day, unfortunately unreported work, which may raise doubts among third parties who may even raise some unsustainable complaint about their activity.





LAW NO. 04/L-202 FOR THE SYSTEM OF PERMITS AND LICENSES

clearly states in chapter VII that the data in the Central Register of permits and licenses must be updated. Precisely, Article 29 of this chapter says:

"THE LEGAL OFFICE OF THE OFFICE OF THE PRIME MINISTER OR OTHER AUTHORITY DETERMINED BY THE GOVERNMENT MAINTAINS AND UPDATES THE REGISTER OF PERMITS AND LICENSES ISSUED BY CENTRAL INSTITUTIONS IN THE REPUBLIC OF KOSOVO."

While this register has not been updated for a long time with recent data, which would increase the level of transparency and provide additional accountability to the public. In addition to Article 29, the activity of the relevant institutions also contradicts Article 32 - The legal effect of the Central Registry of types of permits and licenses, where points 1 and 2 of this article emphasize the following:

- 1. All types of permits and licenses that do not appear in the Central Register of permits and licenses have no legal effect;**
- 2. Leaders of relevant institutions that issue permits and licenses are responsible for sending and updating data for the Central Registry of types of permits and licenses;**

Losing the legal effect of a permit or license means withdrawal of investments and distrust towards institutions. The very fact that the Central Register of Permits and Licenses is not likely to be updated is in itself a collective concern. The loss of the legal effect also means the loss of the validity of the document, therefore, immediate steps should be taken to update the website <https://lejelicence.rks-gov.net/>, in order to, in addition to protecting the owner of the document, simplify the the whole chain of this complex process.

From the very beginning of the application for an Environmental Permit, whether at the municipal or central level, the operator finds himself at a crossroads formed by himself. On the one hand we have an unupdated platform, on the other hand we have a lack of an information office (One-Stop-Shop) which would not only facilitate the work of the operators but also the officials themselves regardless of their operating level.



As the process for licensing devices goes through multiple stages, through multiple reviews of an application based on multiple legal acts, the lack of an intermediary destination obviously leaves room for abuse by the third parties involved. "4 original sealed physical copies" and not just one document - for a country that is being built more and more every day, collecting a bunch of documents that can easily be digitized leads to a delay in the procedure for obtaining permission. Since these documents must be provided by the applicant to their respective municipalities and then forwarded to the central level within a certain time, speeding up the process can lead to abuse of official position, thus, lack of accountability.

Furthermore, these documents must be stamped and signed by the applicant/designer himself. We assume a foreign investor who expresses interest in investing in Kosovo. In this case, it is more than understandable that the need for a mediator/consulate is more than necessary. In addition to the delays, the difficulties that can be encountered in securing documents, we have to deal with institutions that do not recognize a digitalized application, signature or seal, even though they aim to promote and establish a sustainable sector without unreasonable printing. The application submitted to the ministry is recorded. After that, the applicant no longer has any additional information about what happened to his case, what stage it went through or even if it was reviewed. In the worst case, due to the heavy workload or the late formation of the commission, the documentation ends up floating from one department to another without being reviewed at all, even though the deadline for review is gradually coming to an end. In the absence of a tracking system, the likelihood of intervention by central level officials is extremely high, which affects transparency and leads to poor institutional performance.

According to Law No. 08/L-181 for the Environmental Impact Assessment, the time frame for which the protocolled matter must be reviewed can go up to 90 working days. This deadline most likely exceeds the deadline of 3 months, due to the later formation of the commission, considering that most of the officials are already overburdened with the fulfillment of other obligations. Consequently, the subsequent formation of the commission leads to the subsequent review of permit applications. This phenomenon, of course, can leave room for misuse since the acceleration of the documentation elaboration procedures can only be realized if the investor requests a meeting with the responsible officials. On the contrary, delays in obtaining the permit prevent the operationalization of the already realized plants since such cannot function in the absence of technical acceptance. In cases where we are dealing with the functionalization of plants, electricity generators, their non-functionality leads to the loss of potential investment by investors, which can also affect the attraction of these investments in our country.



If the documentation is not complete, the commission notifies the operator to complete the required documents within thirty (30) days from the date of receipt of the request. At the same time, the responsible directorates at the municipal level are allowed to process the request further within a period of 30 days. In the event that the applicant immediately after receiving the response from the commission at the central level forwards it to the relevant directorate at the municipal level, there is a risk that due to this time mismatch, his application will be rejected. If the documentation is not completed within the set deadline, the Ministry will stop the procedure. In such cases, the burden of coordinating institutions at both levels falls on the operator, who may be stuck without being equipped with an Environmental Permit.

***"IN THE NAME OF
TRANSPARENCY,
TRANSPARENCY IS BEING LOST"***



On October 24, 2022, the Minister of the Ministry of Environment, Spatial Planning and Infrastructure, through a post on social networks, informed the general public about the Administrative Acts issued for the year 2022 by MMPHI. In this document, a total of 101 water decisions issued during 2022 are presented. At the same time, these decisions are not published on the MMPHI website, even though in the post of Minister Aliu it is said that all these decisions are on the official website of the Ministry.

Aiming at accountability and increasing transparency, it would be advisable that first the document in question, published in October last year, be in PDF format, accessible directly on the MESPI website. This document should be updated on a monthly basis, so that citizens, relevant actors, civil society and anyone else interested in these decisions, have an easier and faster access. Besides not publishing the decisions on the website of the Ministry, publishing the decisions one by one would cause burden, confusion and difficulties in monitoring the work of the Ministry and third parties.

Therefore, in the interest of a stable, transparent and accountable governance, MESPI reports should be integrated into the website <https://lejelicencia.rks-gov.net/>, where all decisions can be published approved, but also those rejected by MESPI. This website should also include the following information:

1. PROCEDURE FOR EQUIPMENT WITH PERMIT, LICENSE OR CONSENT
2. DURATION AND FEES
3. CONTACT INFORMATION OF THE RESPONSIBLE PERSON WITHIN THE MINISTRY

The connection of the website of MESPI with the website <https://lejelicencia.rks-gov.net/>, is a contribution to transparency, ease of monitoring and efficiency and proper functioning of the already existing websites.

THE CURRENT SITUATION

INDICATORS	CHALLENGES	RECOMMENDATIONS
Transparency	Updating permits and licenses	The relevant institutions, which are responsible in the process of Permits, Licenses and Consents, update and report on a daily basis the list of these documents.
	Access to data	Apply Law No. 06/ L-081 for Access to Public Documents, so that all interested parties have information on applications for Permits, Licenses and Consents. Equal access means increased transparency and avoidance of possible abuses, favoritism and bribes.
Accountability	Delay in consideration of permit applications	Establish a monitoring unit within the Ministry and within the municipal Directorates, which monitors the progress of the application procedures.
	Liability for possible loss/distortion of documentation for applications for Permits, Licenses and Consents	To establish the E-Archive, this enables the digitization of the procedure and serves to store the documentation for the application.
Digitalization	Updating the website lejelicence.rks-gov.net/	Integrate the website lejelicenza.rks-gov.net/ into the websites of the respective Ministries, in order to simplify the information procedure as much as possible, increase transparency and have a connection between the websites of the Ministry and those of the Prime Minister.
	Integrimi i uebsajtit lejelicenca.rks-gov.net/ në uebsajtet e Ministrive përkatëse	Të integrohet uebsajti lejelicenca.rks-gov.net/ në uebsajtet e Ministrive përkatëse, në mënyrë që të thjeshtësohet sa më shumë procedura e informimit, të rritet transparenca dhe të ketë ndërlidhje mes uebsajteve të Ministrisë me ato të Kryeministrisë.
	Digitization of the application procedure for Permits, Licenses and Consents	In order to increase efficiency, transparency and accountability, save time and reduce costs, manage and analyze data, the entire process of the application procedure for Permits, Licenses and Consent must be digitized, at the central level and at the local.
	Digitization of the complaints procedure	In order to speed up the process, raise the level of transparency and accountability, save time and reduce costs, the entire process of complaints for applications for Permits, Licenses and Consents should be digitized, at the central and local level.

THE CURRENT SITUATION

INDICATORS	CHALLENGES	RECOMMENDATIONS
Procedures	Brief information on application procedures	To form a One-Stop-Shop at the central level, which has information powers on the application procedure for Permits, Licenses and Consents.
	Central level and local level coordination for Permit, License and Consent applications	To increase coordination between the central and local levels of government for applications for Permits, Licenses and Consent in Kosovo. This coordination is essential for the efficient and effective administration of these processes. Increased coordination means simplified and aligned processes, consistency and equity, effective management of resources, as well as increased cooperation of relevant actors.
	Incompatibility of urban strategic documents between the central level and the local level	Inconsistency often hinders effective urban planning, development and governance. Drafting other guidelines and standards, strengthening communication and cooperation, encouraging participation and engagement, as well as reviewing and updating current legislation and regulations, will provide increased harmony between the central and local levels both in terms of time and in terms of overall efficiency. Therefore, all documents at the two levels of government must be harmonized.
	Incompatibility of time frames between the central level and the local level	To coordinate the deadlines between the central level and the local level, in order to match the time of completing the documentation, increasing the efficiency of the process, and saving time.
	Updating documentation for application for Permits, Licenses and Consents	In order to raise the level of information accuracy, the relevant institutions should update the necessary documentation on their websites.
Commission	Lack of human resources for reviewing applications	The procedure for examining applications for Permits, Licenses and Consents often encounters extensions of time due to the lack of human resources. Therefore, to increase human capacities for this process, and also to include one or two members of civil society in order to increase transparency and accountability.
	Setting the date of the meeting of the committee for the review of applications	To correctly define the date of the committee meeting, so that the applicants are informed about the date of consideration of their application.
Tariffs	Tax for legalization of constructions without permission regardless of the year of construction	Të rishqyrtohen tarifat për legalizim të ndërtimeve pa leje, në mënyrë që kjo tarifë të jetë më pak e favroshme se sa tarifa fillestare për pajisjen me Leje Ndërtimore.

CONCLUSIONS

Kosovo has serious problems with urban management, specifically with the issuance of environmental permits and real spatial planning. Consequently, the growing demand for housing, infrastructure and energy continues to endanger natural resources by leading to a lack of green spaces, destruction of natural habitats and inadequate waste management. To make matters worse, the phenomenon of encroachment of fertile land by illegal urban and industrial activities and the lack of accountability of those responsible are leading to unsustainable patterns of utilization of these resources.

Complex procedures, non-harmonized regulations, institutional capacities and limited financial resources, lack of relevant data and non-digitalization of the existing ones, continue to affect the stability of this sector. The drafting of strategic documents, regulations and strategic guidelines for the purpose of adequate land surface management during the formulation and implementation of urban plans, as well as municipal development plans are not proving to be so fruitful. Although, the bureaucratic approach of the institutions makes them function without problems and efficiently, in the case of the equipment with Environmental Permit from the Republic of Kosovo, this approach is only affecting the slowing down of the entire licensing process. The fulfillment of a series of criteria while filling out the forms by the institutions involved, is only influencing the suspension of applications which, due to the failure to fulfill one or two criteria, is leading to the blocking of subsequent applications. These delays are only deterring outside investors, leading to resignations.

Addressing the aforementioned challenges requires an integrated approach, an approach that should prioritize sustainable urban development, effective environmental management, conservation of natural resources, increased transparency and accountability, ensuring a greener future, more stable for all residents of the Republic of Kosovo. Environmental permits contribute towards a sustainable urban planning sector. Burdened by the lack of a digitization system, limited staff and lack of experts, it faces constant criticism about its vulnerable resources, bureaucratic inefficiency and insufficient enforcement of environmental regulations, as well as concerns about its capacity to effectively address pressing environmental issues such as air and water pollution, waste management and natural resource conservation, leave little room to imagine a future where infrastructure will no longer be a topic of discussion.

RECOMMENDATIONS

- 1** To develop the E-Archive platform in the framework of the digitalization of the application system. This platform would simplify the procedures for reviewing applications while simultaneously storing and maintaining data and documentation. Considering that the lack of digitalization of the application itself leaves room for confusion, loss or misuse of the submitted documentation itself, storing them in electronic form on a special platform will lead to an increase in transparency, accountability and productivity within the institution itself.
- 2** To establish a One-Stop-Shop – Information Office. Its establishment ensures equal access to all applicants while simultaneously guiding them through the appropriate steps of the application process. By providing a single point of information, investors can be notified in advance of timelines, appropriate documentation, and the progress of the permit application process in general. The information office would ensure justice and equal opportunities for all by reducing the administrative burden on officials, improving the overall efficiency and effectiveness of the work of officials at the central level.
- 3** The website lejedhelicensarks-org.net should be updated and the website integrated into the official website of the Ministry of Environment, Spatial Planning and Infrastructure. Although the page published on the official website of the Prime Minister of Kosovo contains all the procedures and documentation for the purpose of obtaining Permits and Consents from the relevant institutions, it has not been updated almost since its creation. Its update, the integration of the website for complaints as well as the refreshing of the published graphics and statistics would serve all researchers, investors, consultants as well as officials responsible for reviewing applications. The good practice applied by Minister Aliu himself should be continued in order to raise the level of transparency and accountability, and at the same time facilitate the monitoring of possible abuses. Also, the updating of the data and their publication will have to be part of the MESPI website and the website for Permits and Licenses within the Office of the Prime Minister.
- 4** Adjustment, simplification and integration of the official website of the Ministry of Environment, Spatial Planning with the official website of the Ministry of Infrastructure. Considering that we are dealing with a single institution, the integration of both pages into a single one should be done. Consequently, by simplifying the website and reorganizing it, monitoring of the institution would be facilitated, thereby increasing transparency. Two websites cause confusion, difficulty in monitoring and create room for potential misuse, so there should be only one official MESPI website as soon as possible.

5

At the municipal level, implement the eLeja electronic platform. The integration of this platform in the official websites at the municipal level, would ease the administrative burden of the officials themselves who deal with the review of the documentation, leaving room for misuse or mistakes caused unintentionally by the officials themselves. The integration of the eLeja website in the official website lejedhelicensa.rks-gov.net or in any electronic platform connected to the official website of the Ministry of Environment, Spatial Planning and Infrastructure, apart from shortening the time of reviewing the documentation, would also directly affect increased accountability from the parties involved.

6

To decide the exact date during which the commission meets. The correct determination of this date represents an essential informative indicator for all applicants for obtaining permission and license. This would ensure that applicants are kept well informed on when their documentation will be reviewed and evaluated without the need to make external contacts.

7

To hold regular meetings between central level officials responsible for granting permits and licenses with representatives from the department for environmental protection and urbanization at the municipal level. The lack of coordination between them as well as the lack of information inadvertently leads to delays in the review of applications as well as the lack of information on updating bylaws, where as a consequence officials from the municipal level may inadvertently instruct investors to follow steps that are not necessarily more the right ones.

8

To review the legislative framework in order to harmonize the by-laws at both levels of government. The procedure for examining applications for Permits, Licenses and Consents often encounters extensions of time due to the lack of human resources. Therefore, to increase human capacities for this process, and also to include one or two members of civil society in order to increase transparency and accountability.

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