

## **Statute of the**

### **Association of Municipalities in the Republic of Kosovo in which the Kosovo Serb Community is in Majority**

#### **I**

Pursuant to the Law on Ratification of the First Agreement of Principles Governing Normalization of Relations between the Republic of Kosovo and Republic of Serbia, the following municipalities (LIST OF MUNICIPALITIES) form the Association/Community of Municipalities in which the Kosovo Serb Community is in Majority.

#### **1. General Provisions**

##### **Article 1**

- L The Association/Community is as a legal entity established in line with the Constitution and legal system of the Republic of Kosovo.
2. The Statute of the Association/Community is the highest legal act of the Association/Community.
3. The Statute will be adopted by a constituent assembly of the Association/Community composed of the voted members of the municipal assemblies of the participating municipalities in accordance with the Law on Ratification of the First Agreement and the Constitution of the Republic of Kosovo. The Statute ^hall be enacted by a legal act of the Government of Kosovo and shall receive the power of a Government regulation under the Kosovo legal system upon review by the Constitutional Court.
4. The Assembly of the Association/Community is the body responsible for amendments to the Statute. Amendments of the Statute should follow the same procedure as the adoption and enactment.
5. The Association/Community consist of the following ten (10) municipalities (LIST OF MUNICIPALITIES) and represents theirs and the interest of their residents. Membership in the Association/Community is voluntary. Procedures for additional membership, departure from membership and dissolution of the Association/Community arc defined by this Statute.
6. The Association/Community shall not replace, supersede, or reduce the rights and interests of communities in the Republic of Kosovo, as enshrined in its Constitution and provided by the legal system.

## Article 2

1. Members of the Association/Community are the municipal authorities of the participating municipalities.
2. The official names of this legal entity are: "Association/Community of Municipalities in the Republic of Kosovo in which the Kosovo Serb Community is in Majority," "Community of Municipalities in the Republic of Kosovo in which the Kosovo Serb Community is in Majority," and "Association of Municipalities in the Republic of Kosovo in which the Kosovo Serb Community is in Majority." All three official names refer to the legal entity established by this Statute. In this Statute, the designation Association/Community shall mean all or any of the official names. Official bodies of Kosovo or representatives of the Association/Community have the right to refer to it by any of the three official names.
3. The activities of the Association/Community are based on the principles of voluntary participation by its members, advancing democracy and local governance, and respect for the provisions of protection and representation of the rights and interests of communities embedded in the Constitution and laws of Kosovo.
4. Municipal authorities join the Association/Community on the basis of a decision by their Municipal Assemblies in accordance with the legal {(revisions regulating decision-making of this municipal body. In the process of joining the Association/Community, each member must endorse its Statute. Members of the Association/Community are free to join other national, regional and international associations in line with the legal system and Constitution of the Republic of Kosovo,
5. Members of the Association/Community have the right to cease their membership. Decision to leave the Association/Community shall be taken by the Municipal Assembly of the respective municipality in accordance with the legal provisions regulating decision-making of this municipal body. A municipality that left the Association/Community may decide to reinstate its membership through the procedures outlined under point 4 above.
6. The Association/Community will be open to any other municipality provided that the members are in agreement. The decision to accept a new member of the Association/Community will be taken by a simple majority of its Assembly delegates.
7. The Association/Community can only be dissolved by a decision of its Assembly adopted by a 2/3 majority of its members. In case a dissolution decision is enacted by the Assembly of the Association/Community, the dissolution of the Association/Community is carried out by the Government. The assets of the Association/Community are distributed according to the decisions of the Assembly of the Association/Community.

The Members of the Association/Community have the responsibility to;

- Respect the Statute and the acts of the Association's organs;
- Pay the membership fee regularly;
- Refrain from acting within or through the Association/Community in a manner contrary

- to the Statute;
- Uphold integrity, credibility and reputation of the Association/Community.
8. Members of the Association/Community have the right to expel one or more municipalities from membership through a decision of its Assembly adopted by a 2/3 majority of its members.
  9. The Association/Community shall have its own official symbols, to include a coat of arms and a flag, which will be designed by the Board of the Association/Community in accordance with the Constitution of the Republic of Kosovo and the Law on Local Self- government.
  10. The seat of the Association/Community will be determined by the Statute [in the course of its finalization and through consultation among the Association/Community stakeholders).
  11. The Association/Community is entitled to its own integral budget, bank accounts and has the right to own property and engage in financial transactions.

## **11. Objectives of the Association/Community**

### **Article 3**

1. In accordance with the Ratified First Agreement and the Constitution, the Association/Community will have as its main objectives in delivering public functions and services to:
  - a. Strengthen local democracy. The Association/Community exercises this function through facilitation of cooperation among its participating municipalities, supporting the participating municipalities in the design of policies that advance local democracy, facilitating, funding or promoting activities that advance civic participation and democratic practices, and representing the interests relevant to local democracy with the central authorities.
  - b. Promote and protect the ethnic, linguistic, religious, and other forms of cultural identities represented among the population of its participating municipalities. In the conduct of this function, the Association/Community will facilitate cooperation among its participating municipalities and support them in the design of projects, policies and measures that uphold, promote, and protect cultural expression and identity represented among their residents. This may include facilitation and/or funding of projects related to culture and cultural heritage on the territory of its participating municipalities, as well as related to maintenance, rehabilitation or construction of cultural heritage sites. The Association/Community may also fund or organize events, campaigns, and other forms of public manifestations related to the promotion of the cultures and cultural diversity

represented in the participating municipalities. The Association/Community may also provide technical, legal and professional advice to its participating municipalities and the central authorities regarding legislation, policies, activities and public engagement in the sphere of culture and cultural diversity. In the conduct of these functions, the Association/Community will respect the cultural diversity represented among the residents of its participating municipalities and diversity norms included in the Constitution and legal system of the Republic of Kosovo.

- c. Exercise full overview to develop local economy, "he Association/Community exercises this function through facilitation of cooperation among its participating municipalities, supporting them in the design of projects, policies and measures that develop their local economies or assisting in the engagement of financial and human resources relevant to economic services, funding and promoting activities that enhance economic development, investment and business connectivity, and representing the interests of the participating municipalities and the economic actors located on their territories in relations with the central authorities, as well as other state and economic operators in the region and beyond, including those from the Republic of Serbia. For conducting these functions, the Association/Community shall regularly receive documents produced by the economic, financial and budgetary authorities of the participating municipalities and shall have the right to request additional information from the participating municipalities as relevant for the conduct of this function. It shall also have the right to request official information from the central authorities relevant to the conduct of these functions.
- d. Exercise full overview in the area of education. The Association/Community fulfils this objective through the conduct of the following functions:
- Facilitating cooperation among its members for the purposes of advancement of education standards at the local level.
  - Representing the education policy interests of its members and their residents with the central authorities.
  - Conducting research and following education trends among its members, in Kosovo and abroad, and providing guidance to advance education standards, policy and technical skills.
  - Providing legal, scientific, financial, and secretarial support to its members in the implementation of their competences in the area of education, including higher education as provided by law.
  - Providing an advisory role to the central and the authorities of its participating municipalities with regard to the development and provision of Serbian-curriculum education as regulated by Kosovo law.
  - Providing legal, subject-matter and research-based advice to the central authorities and the participating municipalities with regard to the determination of the teaching, school management and support staff numbers and salary scales for the education system in the participating municipalities.
  - Provide legal, subject-matter and research-based advice to the central authorities as regards the management of the education sector on the territory of the participating municipalities.

- Funding education-related initiatives - including scholarships, teacher training, research grants, IT solutions, academic exchanges, summer programs, and other - for the benefit of education advancement among its participating municipalities.
  - Funding construction and infrastructure projects related to the provision of education among its participating municipalities, as well as providing financial support for maintenance of education and related facilities (sports halls, IT labs, etc). Facilitating and/or funding the transport and distribution of education textbooks related to the Serbian-curriculum education under Kosovo law. The Assembly/Community will provide the same service for the Kosovo Curriculum education in Albanian and other languages if needed by any group of residents of its participating municipalities. Liaising with other parties, including the education authorities of the Republic of Serbia, for the fulfilment of this objective.  
Providing advice to the central authorities on amendments related to legislation on education.
2. For the conduct of the above-defined functions, the Association/Community shall regularly receive documents produced by the education authorities of the participating municipalities and shall have the right to request additional information from the participating municipalities as relevant for the conduct of this function. It shall also have the right to request official information from the central authorities relevant to the conduct of these functions.
3. In the conduct of the full overview in the area of education, the Association/Community shall fully abide by the Constitution and legal system of the Republic of Kosovo. The administrative review of acts of municipalities by the central authorities in the area of their own competences, limited to ensuring compatibility with the Constitution of the Republic of Kosovo and the law, as outlined in Article 124.7 of the Constitution, shall apply *mutatis mutandis* in relation to the decisions of the Association/Community.
- e. Exercise full overview to improve local primary and secondary health and social care. The Association/Community fulfils this objective through the conduct of the following functions:
- Facilitating cooperation among its members for the purposes of advancement of primary and secondary health and social welfare At the local level. Representing the health and social policy interests of its members and their residents with the central authorities.
- Conducting research and following health and social welfare trends among its members, in Kosovo and abroad, and providing guidance for the advancement of health and social welfare provisions, policy and research,.
  - Providing legal, scientific, financial, and secretarial support to its members in the implementation of their competences in the area of health and social welfare, as provided by the law.
  - Providing legal, subject-matter and research-based advice to the central authorities as

regards the management of the health sector on the territory of the participating municipalities.

- Providing an advisory role to the central and the authorities of its participating municipalities with regard to any specific health and social welfare needs of their residents.
- Providing legal, subject-matter and research-based advice to the central authorities and the participating municipalities with regard to the determination of the health sector professionals, management and support staff! numbers and salary scales in the participating municipalities.
- Funding and facilitating capacity building and professional training of the medical and social welfare personnel of the participating municipalities, for the benefit of improvement of health and social care among its participating municipalities.
- Funding construction and infrastructure projects related to the provision of health and care and social welfare among its participating municipalities. The Assembly/Community also provides financial support for maintenance of medical facilities.
- Funding social housing in the participating municipalities, respecting the ethnic diversity of its population and provisions of Kosovo law regarding the selection of beneficiaries.
- Funding the facilities, equipment and material expenses related to any specific health or social welfare needs in the participating municipalities, such as those related to mobile health provision, persons with disabilities, or elderly health care.
- Funding and/or raising funds for social welfare support of the residents of its participating municipalities, respecting their ethnic diversity.
- Promoting, facilitating and funding public health awareness campaigns and measures for improving public health standards, other than those regularly provided by the health care provides as per the relevant laws.
- At times of pandemics or public health crises, the Association/Community supports the implementation of Government-provided public health measures by the participating municipalities.
- At times of pandemics or when otherwise needed, funds and/or facilitates the provision of medicines, vaccines and medical equipment for the needs of the residents of the participating municipalities.
- Liaising with other parties, including the health and social welfare authorities of the Republic of Serbia, for the fulfilment of this objective,
- Funding the purchase of specialized medical equipment as may be needed by its participating municipality(ies) and placing the purchased equipment to the management of the legally provided medical institutions.
- Advising the central authorities in terms of the primary and secondary health and social care in the participating municipalities, as well in terms of amendments to the legislation on municipal primary and secondary and social care.
- Through a joint commission established with the central authorities, facilitating the payment of social welfare financial assistance from the Republic of Serbia for beneficiaries residing in the participating municipalities.

4. For the conduct of the above-defined functions, the Association/Community shall regularly

receive documents produced by the health and social welfare authorities of the participating municipalities and shall have the right to request additional information from the participating municipalities as relevant for the conduct of this function. It shall also have the right to request official information from the central authorities relevant to the conduct of these functions.

5. In the conduct of the full overview in the area of primary and secondary health and social care, the Association/Community shall fully abide by the Constitution and legal system of the Republic of Kosovo. The administrative review of acts of municipalities by the central authorities in the area of their own competences, limited to ensuring compatibility with the Constitution of the Republic of Kosovo and the law, as outlined in Article 124.7 of the Constitution, shall apply *mutatis mutandis* in relation to the decisions of the Association/Community.

- f. Exercise full overview to coordinate urban and rural planning. The Association/Community fulfils this objective through the conduct of the following functions:

Facilitating cooperation among its members for the purposes of inter-municipal urban and rural planning.

- Representing the interests of participating municipalities with the central authorities as regards inter-municipal urban and rural planning.

Conducting research and other forms of technical support to the participating municipalities in their application of legal competences in urban and rural planning.

- Providing legal, scientific, financial, and secretarial support to its members in the implementation of their competences in the area of their legal competences in urban and rural planning.

- Funding and/or facilitation of capacity building programs in the area of urban and rural planning.

Providing advice to the central authorities with regards to inter-municipal infrastructure projects related to the participating municipalities.

Providing guidance to the participating municipalities with regards to their legal competences on urban development and zoning maps.

- Providing guidance and support to the participating municipalities for the protection and promotion of cultural heritage.
- Providing advice to the central authorities on amendments to legislation related to municipal urban and rural planning.
- Providing legal, subject-matter and research-based advice to the central authorities and the participating municipalities with regard to expropriation processes on the territories of its participating municipalities.

6. For the conduct of the above-defined functions, the Association/Community shall regularly receive documents produced by the urban and rural planning authorities of the participating municipalities and shall have the right to request additional information from the participating municipalities as relevant for the conduct of this function. It shall also have the right to request official information from the central authorities relevant to the conduct

of these functions.

7. In the conduct of the full overview in the area of rural and urban planning, the Association/Community shall fully abide by the Constitution and legal system of the Republic of Kosovo. The administrative review of acts of municipalities by the central authorities in the area of their own competences, limited to ensuring compatibility with the Constitution of the Republic of Kosovo and the law, as outlined in Article 124.7 of the Constitution, shall apply *mutatis mutandis* in relation to the decisions of the Association/Community.
  
- g. Adopt measures to improve local living conditions for returnees to Kosovo. The Association/Community fulfils this objective through the conduct of the following functions:
  - Facilitation of cooperation among the participating municipalities for the benefit of the returnee community.
  - Funding of housing solutions for returnees; to Kosovo in the participating municipalities.
  - Liaison with the displaced community and identification of particular needs to address in the context of return and other durable solutions and advice to the participating municipalities in terms of meeting these needs within their legal competences.
  - Liaison and cooperation with the Ministry for Communities and Return and other central institution with regard to the implementation of the relevant strategies and regulatory documents on return, as relevant for implementation by the participating **municipalities**.
  - Providing advice and guidance to the participating municipalities in terms of policies and measures on the socio-economic integration of returnees.
  - Funding socio-economic integration programs for returnees to the participating municipalities. The Assembly/Community also provides other forms of financial and material assistance to the returnees, including outside the participating municipalities.
  - Providing advice to non-participating municipalities relevant to their return-related policies and measures.
  - Providing advice to the central authorities with regards to legislation, policies, strategies and measures in support to returns.
  - Facilitating the return of and provides other form of durable solutions with respect to the return of displaced person to the participating municipalities from other areas of Kosovo.
  
8. For the conduct of the above-defined functions, the Association/Community shall regularly receive documents produced by the returns-related authorities of the participating municipalities and shall have the right to request additional information from the participating municipalities as relevant for the conduct of this function. It shall also have the right to request official information from the central authorities relevant to the conduct of these functions.



- 9, In the fulfilment of this objective, the Association/Community shall fully abide by the Constitution and legal system of the Republic of Kosovo, The administrative review of acts of municipalities by the central authorities in the are^ of their own competences, limited to ensuring compatibility with the Constitution of the Republic of Kosovo and the law, as outlined in Article 124.7 of the Constitution, shall apply *mutatis mutandis* in relation to the decisions of the Association/Community.
- h. Conduct, coordinate and facilitate research and development activities. In the fulfilment of this objective and in addition to the research and development activities outlined above, the Association/Community shall conduct any other research and development activity deemed necessary by the participating municipalities, as may be relevant for their own individual needs or those related to inter-municipal cooperation.
- i. Promote, disseminate and advocate issues of common interest of its members and represent them, including to the central authorities. In the fulfilment of this objective and in addition to the activities outlines under the objectives above, the Association/Community shall promote and advocate issues of common interest of its members and represent them with the central authorities as requested by the members. In the fulfilment of this function, the Association/Community shall not undermine or circumvent the constitutionally and legally provided municipal competences and communication, reporting, and cooperation channels between the municipalities and the central authorities or between the residents and central authorities.
- j. Provide services to its members in accordance with Kosovo law. In the fulfilment of this objective and in addition to the services outlined above, the Association/Community shall provide other services that may be requested by its members or local community associations of the participating municipalities, in line with Kosovo's legal system laws and without undermining or circumventing the constitutionally and legally provided municipal competences and communication, reporting and cooperation channels between the municipalities and the central authorities or between the residents and central authorities.
- k. Assess the delivery of public services to its members and their residents as to support the Association/Community in forming positions of common interest for the participation to the work of the central authorities. For the conduct of this function, the Association/Community shall have the right to request official information from the municipalities and central authorities relevant for assessing the delivery of public services. These assessments shall be used for guidance to the municipal authorities and central institutions as regards improvements in the delivery of public services, as well as for formulating positions of common interests of its members or their residents in the participation to the work of the central authorities, as pertaining to issues related to public services.
- l. Conduct monitoring as required for the implementation! of its objectives. In the fulfilment of its monitoring objective, the Association/Community shall have the right to request official information from its members in all areas covered by its objectives listed above.

- m. Establish relations and enter into cooperation arrangements with other associations of municipalities, domestic, regional, and international, relevant to the fulfilment of its objectives and in line with the Constitution and relevant laws of Kosovo.
- n. Provide subject-matter and legal advice to its participating municipalities and the central authorities with regard to outstanding issues in the conduct of legislative, budgetary, administrative or policy interventions pertaining to the implementation of the normalization of relations agreements. Under explicit request by the Government of Kosovo or another mandated central authority, the Association/Community, in compliance with its internal democratic governance, may form special commissions, on its own or jointly with central authorities, for the facilitation of administrative solutions required for this implementation, such as verification of diplomas and certificates. This article may also be applied on open issues between the Republic of Kosovo and the Republic of Serbia, such as mutual acceptance of phytosanitary certificates and similar matters of relevance for free movement of people and commerce.

#### **Article 4**

1. In the fulfilment of its Objectives, the Association/Community will not undermine or circumvent the constitutionally and legally provided authority and competences of the participating municipalities nor in any way replace or undermine the constitutionally and legally provided relationship between the central and local authorities in the Republic of Kosovo.

## **DUKAGJINI**

#### **Article 5**

1. The Association/Community will exercise other additional competences as may be delegated by the central authorities in accordance with the Constitution and laws of Kosovo.

### **III. Organizational Structure**

#### **Article 6**

1. The Association/Community will have the following bodies:
  - Assembly of the Association/Community;
  - President of the Association/Community;
  - Vice-president of the Association/Community;
  - Council of the Association/Community;

Board of the Association/Community;  
Appeals and Complaints Office of the Association/Community.

2. The bodies of the Association/Community shall promote coexistence and peace between the citizens of their member municipalities and encourage building appropriate conditions to enable all communities to express, preserve, and develop their national, ethnic, cultural, religious, and linguistic identities.

#### **Article 7**

1. The Assembly of the Association/Community is its supreme body composed of representatives appointed by each assembly of the participating municipalities among their elected members, and shall reflect the composition of the municipal Assemblies.
2. The number of representatives of the Assembly is determined by the number of representatives in the assemblies of the participating municipalities at a ratio of 10 to 1. Each participating municipality delegates one representative to the Assembly of the Association/Community for each of the municipal assembly's ten seats.
3. The delegates to the Assembly of the Association/Community are elected by the respective municipal assembly upon the proposal of the mayor
4. In the proposal and selection, the mayor and the municipal assemblies will respect the principle of ensuring ethnic diversity of their municipality. Thereby, the ethnic proportions represented in the municipal assembly will be reflected in the composition of its delegates to the Assembly of the Association/Community. In this process, the mayors and municipal assemblies will respect the community rights norms included in the Constitution and legal system of the Republic of Kosovo.
5. The term of the Assembly will be connected to the terms of the municipal assemblies of the participating municipalities. Upon each local elections, within one month after the establishment of the municipal assemblies, the municipal assemblies established thereby will undergo the procedure of electing their representatives in the Assembly of the Association/Community under the procedures outlined above and in accordance with the law.
6. The term of the Assembly delegates ends with the end of their term in the respective municipal assembly. All legally provided forms for the end of the term in office as a municipal assembly councilor shall apply to the end of term in the Assembly of the Association/Community. In case of a repeated election or a by-election in a given participating municipality, the term of that municipality's representatives in the Association/Community ends and is replaced by delegates of the municipal assembly established through the repeated or by-election under the procedures outlined above and in accordance with the law.
7. The municipal assembly of each participating municipality has the right to revoke the

mandate of one or more of its delegates to the Assembly of the Association/Community. Revocation of the mandate has to be justified in terms of respect for this Statute and the legal system of Kosovo. In the replacement of its delegates to the Assembly, municipal assemblies will respect the principle of ethnic diversity outlined above. The initiative to replace a delegate to the Assembly may be taken by the mayor, deputy mayor for communities, deputy chairperson of the municipal assembly for communities, or any municipal assembly councillor. Decisions on revocation of mandate and its replacement are taken by the municipal assembly of the respective municipality.

8. Delegates to the Assembly of the Association/Community will be entitled to financial compensation for their work in the Assembly. The financial compensation will be determined by the Assembly's Rules of Procedure and will be in line with the financial standards of public service regulated by Kosovo law.

#### **Article 8**

1. Meetings of the Assembly of the Association/Community are called and chaired by the President of the Association/Community. In his/her absence, meetings will be called and chaired by the Vice-President of the Association/Community. In case both are absent or otherwise prevented, the eldest available delegate may call and chair the respective meeting of the Assembly.
2. Meetings of the Assembly are called on the initiative of the President of the Association/Community, the Board of the Association/Community, or by 1/3 of the delegates of the Assembly of the Association/Community.
3. Upon inauguration and within three months, the Assembly will draft its Rules of Procedure to govern its voting system and other procedural matters. The Rules of Procedure will be in line with the Statute and the Kosovo legal system. The Rules of Procedure will, as closely as possible, reflect the rules of procedure of municipal assemblies in Kosovo. The Rules of Procedure require the endorsement of 2/3 of the Assembly delegates.
4. The Assembly will meet at least twice annually and may hold other regular and ad hoc meetings. The scheduling and other Assembly meeting procedures will be regulated by the Rules of Procedure.

#### **Article 9**

1. The Assembly adopts the Statute of the Association/Community, in line with the provisions outlined above.
2. The Assembly deliberates and adopts amendments to the Statute of the Association/Community, in line with the provisions outlined above.
3. The Assembly adopts its Rules of Procedure, in line with the provisions outlined above.

4. The Assembly decides on admission and dismissal of its delegates, in line with the provisions outlined above.
5. Elects and dismisses the President, Vice-President and Board of the Association/Community.
6. Reviews and adopts the budget of the Association/Community.
7. Upon recommendation from the President or the Board of the Association/Community, the Assembly reviews and adopts strategic policy guidance documents relevant for the work of the Association/Community or for implementation of the Association/Community objectives, when they relate to all members of the Association/Community.
8. Deliberates, reviews and sets policy priorities for the implementation of the Association/Community Objectives.
9. Reviews and approves cooperation agreements with the central authorities or third parties, domestic or foreign, pertaining to the Objectives or the Association/Community as a whole.
10. Deliberates and approves construction, infrastructure and other investment projects valued at more than 50,000 Euro, upon proposal by the President and the Board of the Association/Community.
11. Deliberates and adopts other administrative regulations and decisions related to the Association/Community Objectives in accordance With the Statute and legal system of Kosovo.
12. All Assembly decisions pursuant to the points outlined above are applicable to its members. When necessary and determined by the Constitution and laws of Kosovo, the participating municipalities will effectuate the Assembly decisions through the legal, administrative, budgetary and other procedures pertaining to the scope of competences of municipalities in Kosovo. Any member of the Association/Community has the right to formally express a different decision or otherwise not enact decisions of the Assembly through its own constitutionally and legally provided procedures.
13. As the supreme body of the Association/Community<sup>1</sup>, the Assembly may decide to change the competences of any other body of the Association/Community, if necessary through amendments to the Statute.

#### Article 10

#### **President and Vice-President of the Association/Community**

1. The Association/Community will have a President elected by the Assembly from among the members of the participating municipalities' assemblies and their mayors. The procedure for electing the President will be regulated by the Assembly Rules of Procedure.
2. The Association/Community will have a Vice-President who will assist the President in the conduct of his/her duties. The Vice-President is elected by the Assembly from among the members of the participating municipalities' assemblies and their mayors. The procedure for electing the Vice-President will be regulated by the Assembly Rules of Procedure.
3. The mandates of the President and Vice-President are connected with their respective mandates within their participating municipalities. Upon each local election cycle, once itself constituted, the Assembly will elect a new President and Vice-President. There are no limitations as to the repeated service in these two functions, if the President's or Vice-President's municipal mandates are otherwise ceased through any legally prescribed manner, the Assembly will dismiss them and elect a new President and Vice-President.
4. The President will represent the Association/Community before the central authorities and third parties, domestic or foreign.
5. The President chairs the meetings of the Assembly and is among the parties authorized to call Assembly meetings.
6. The President supervises the work of the Association/Community Board and administration and manages the work of the Association/Community, implementation of the Association/Community Objectives and Assembly decisions.
7. Assisted by the Association/Community Board and administration, the President manages the Association/Community budget and spending, in line with the provisions of the Statute and legal norms of Kosovo.
8. Assisted by the Board, the President is the authorized entity of the Association/Community for managing its bank accounts, property-related documents, entering cooperation agreements, representation at court and other administrative matters, and other forms of formal correspondence necessary for the functioning of the Association/Community. In the conduct of this authority, the President will follow procedures outlined in the Statute and the legal system of Kosovo.
9. The President initiates the deliberation and approval of strategic policy guidance and other documents outlined above under the competences of the Assembly of the Association/Community.
10. The Vice-President assists the President in all functions described above, represents the Association/Community in consultation with the President and replaces the President in the conduct of his/her duties when necessary. The President may temporarily delegate any

of the functions above to the Vice-President.

## **Article 11**

### **The Council of the Association/Community**

1. The Association/Community will have a Council composed of a maximum of 30 members among residents of the participating municipalities, including all mayors of the participating municipalities.
2. The composition of the Council will reflect the ethnic diversity of the participating municipalities and respect the constitutional and legal provisions on the representation of communities in Kosovo.
3. The rules specified above for the term of service of municipal councillors and mayors within the bodies of the Association/Community will apply for the Council term in office for the mayors.
4. The election and criteria for membership on the Council for its members who are not mayors or municipal assembly councillors will be determined by the Assembly of the Association/Community through a special regulation in accordance with this Statute and legal system of Kosovo.
5. Frequency and scheduling of meetings, decision-making and other matters regulating the Council's proceedings will be determined by the Assembly of the Association/Community through a special regulation in accordance with this Statute and legal system of Kosovo.
6. Membership in the Council for non-mayors will reflect the ethnic diversity of the participating municipalities and otherwise respect the constitutional and legally provided norms for the representation of communities in Kosovo.
7. The Council of the Association/Community is an advisory body which provides guidance to the work of the Association/Community.
8. The Council provides advice to the other Association/Community bodies and its members may otherwise directly engage in the research, analysis, strategic guidance formulation, and professional collegia associated with the implementation of the Association/Community Objectives.
9. The Council provides recommendations to the President, Vice-President, Board, and Assembly of the Association/Community in all aspects of their work.
10. The Council members have the right to observe meetings of the Assembly of the

Association/Community and table written proposals for the Assembly's consideration and approval.

11. The Council provides an advisory opinion on all forms of decisions of the Assembly of the Association/Community.

## **Article 12**

### **The Board of the Association/Community**

1. The Association/Community will have a Board composed of 7 members voted by the Assembly from among the mayors and residents of the participating municipalities.
2. The composition of the Board will reflect the ethnic diversity of the participating municipalities and respect the constitutional and legal provisions on the representation of communities in Kosovo.
3. The Board will be elected by the Assembly of the Association/Community on the proposal of the President. Election of the Board requires a simple majority of the Assembly's delegates.
4. In formulating his/her proposal for the Board, the President will consult the leadership of all the participating municipalities, the Office of the Prime Minister of Kosovo, the Association/Community Council, civil society and non-majority community leaders from the participating municipalities. To the greatest extent possible, the views of the consulted interlocutors will be reflected in the President's proposal for the Association/Community Board members.
5. As regards the mayors who may be elected for membership on the Board, their terms with the Board are connected with their terms as mayors, in line with the relevant provisions outlined above in the Statute,
6. The Assembly may select any other resident of its participating municipalities for membership on the Board. In this selection and in addition to adherence to the norms of non-majority community representation, the Assembly is guided by the values of professionalism, personal and subject-matter competence, track record of institutional and community service and representation.
7. The Board will elect its Chairperson, who will coordinate its activities and reporting to the Assembly and the President of the Association/Community.
8. Under the supervision of the President, the Board manages the implementation of the Assembly's Objectives, relevant Assembly decisions, and the Association/Community's administration.



9. In their work, the members of the Board will be supported by professional collegia composed of experts in the fields covered by the Association/Community Objectives.
10. The Board will establish professional collegia in the following areas:
  - Development of local economy;
  - Education; - Primary and secondary health care;
  - Social welfare;
  - Urban and rural planning;
  - Conditions and durable solutions for the returnees;
  - Public services;
  - Legal, administrative, and procedural matters;
  - Non-majority community rights.
11. The Board may decide to establish other professional collegia in line with the Association/Community Objectives.
12. The work of the collegia is limited to research, professional and technical advice related to the implementation of the Association/Community Objectives, as pertaining to the competences of the Board.
13. Under the overall supervision of the President, the work of the collegia is supervised by the Board, under the coordination of its Chairperson.
14. In the selection of the professional collegia, the Board will respect the provisions of ethnic diversity outlined in the constitution and laws of Kosovo.

### **Article 13**

#### **Administration of the Association/Community**

1. The Association/Community will have an administration, headed by a Chief of Administration appointed by and reporting to the Board.
2. The administration supports the work of the Association/Community, in particular the Board and the President.
3. The staff of the administration is composed of impartial, professional, and accountable citizens of Kosovo - regardless of their municipal residence. The staff of the administration reflects the multi-ethnicity and gender equality standards embedded in the Kosovo legal system. The staff of the administration are employed by the Board on the basis of merit and upon passing selection procedures drafted and approved by the Board, in line with this Statute and the legal system of Kosovo.

4. The staff of the administration will benefit from a formal employment status with the Association/Community and will be enjoy the rights and protection afforded to employees by the Law on Labour,
5. The staff of the administration will be subjected to the duties outlined for employees in the Law on Labour.
6. The Association/Community will respect all relevant provisions of the Law on Labour.
7. The Chief and staff of the administration will not come from the ranks of elected mayors or municipal assembly members of the participating municipalities nor will they hold any other functions in the Association/Community.
8. The members of the Association/Community may engage employees of the member municipalities under special-expertize temporary contracts to conduct a particular task in support of the Board and the Association/Community in the implementation of the Objectives. In this regard, the members of the Association/Community will act in line with the Kosovo Law on Labour and will not undermine the capacity of the participating municipalities to deliver services in line with the Kosovo legal system.

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#### Article 14

##### **Appeals and Complaints Office of the Association/Community**

1. The Association/Community will have an appeals and complaints office mandated to receive and deliberate upon appeals and complaints by the municipal authorities (mayor and municipal assembly) of the participating municipalities or civic groups, commercial entities, or professional unions from the participating municipalities.
2. The complaints and appeals that may be submitted to this Office are those pertaining to alleged violations by the Association/Community against the rights and interests of its participating municipalities, their residents, commercial entities or professional associations.
3. The Office will also be mandated to receive and deliberate upon motions and petitions by the societal actors from the participating municipalities with regards to the fulfilment of the objectives and the functioning of the bodies of the Association/Community.
4. Decisions of this Office in relation to the complaints, appeals and petitions submitted to it shall be applicable to the relevant bodies of the Association/Community. The Office's decisions may be appealed with the relevant judicial authority of the Republic of Kosovo.

#### **IV, Relations with the central authorities**

##### **Article 15**

1. The Association/Community will engage with the Kosovo central authorities on the basis of mutual cooperation and information sharing, in the spirit of promoting democracy and multiethnicity, and in line with the Kosovo legal system.
2. The Association/Community will promote the interests of the communities and residents of its participating municipalities, in good faith and in the spirit of inclusive multiethnicity.
3. The Association/Community may provide guidance, technical and legal advice to its participating municipalities with respect to their constitutionally and legally provided rights on proposing legislation.
4. In relations with the central authorities, the Association/Community may also provide advice and technical expertise in the drafting of legislation under the established legal norms of Kosovo. The Association/Community may participate in public hearings regarding new legislation or amendments to existing legislation. The Association/Community may be invited by the Government or Assembly of Kosovo to provide advice in the drafting of legislation pertaining to local governance, community rights, or any area covered by the Association/Community Objectives.
5. The Association/Community will have the right to initiate or participate in proceedings before the competent Courts in accordance to the Constitution and relevant laws of Kosovo.
6. The Association/Community may initiate proceedings before the Constitutional Court only where the Association/Community as a legal entity can claim to be a victim of a violation of its fundamental rights and freedoms guaranteed by the Constitution within the meaning of Article 113.7 of the Constitution.
7. The Association/Community will have the right to nominate representatives in the competent bodies of the central authorities, including the Consultative Council for Communities.
8. The Association/Community will have the right to have access and information from central authorities in accordance with Kosovo law.
9. Acting on behalf of the Association/Community, the four mayors of the northern Kosovo municipalities - as long as they are all members of the Association/Community - will provide the Kosovo Ministry of Internal Affairs a list of candidates for nomination as regional Kosovo Police Commander, as specified in Article 9 of the Ratified First Agreement.

#### **V. Legal Capacity**

## Article 16

1. Through a legal act, the Government of Kosovo Will endow the Association/Community the status of a legal entity and the legal capacity necessary to perform its Objectives. This includes the right to own moveable and immoveable property, to co-own companies that provide local services within the scope of the Association/Community's Objectives, and to conclude contracts, including employment contracts.
2. The Members of the Association/Community retain their legal, proprietary and financial independence after obtaining a membership status in the Association/Community.

## VI. Budget and support

### Article 17

1. The Association/Community will have its own budget, which will be administered in accordance with the principles of transparency and accountability, and the provisions of the Law on Public Procurement and the Republic of Kosovo legal system.
2. The Association/Community's expenditures shall be subject to audits by the competent authorities, including by the Auditor General of Kosovo.
3. The Association/Community will be funded from:
  - Contributions from its members;
  - Income and revenue from the services provided by the Association/Community, its companies or drawn from its movable or immovable assets;
  - Transfers from the central authorities;
  - Contributions, grants, donations, as well as financial support from other associations and organizations, domestic and international, including the Republic of Serbia;
  - The Association/Community will be exempt from duties and taxes in the pursuit of its Objectives, on the same basis as the participating municipalities.
4. The Association/Community will have an annual integrated budget proposed by its Board and approved by its Assembly. Its annual budget shall be proportional to, defined by and appropriate for the Association/Community objectives and functioning of its bodies, as defined by this Statute.
5. The Government and Auditor General of Kosovo shall receive each annual integrated budget of the Association/Community prior to its approval. The Government and Auditor General will conduct a review of the draft budget for compliance with the Association/Community's objectives and functioning of its bodies as defined by this Statute. The Government and Auditor General will conduct the draft budget review within

15 working days upon receipt. If found to be compliant, the central authorities will notify the Assembly of the Association/Community, which will then approve the budget through its designated procedures. If a portion of the draft budget is found to be non-compliant, the Government and Auditor General will not hold the entire integrated budget pending. In such cases, the Assembly of the Association/Community shall be given recommendations on amending or eliminating the disputed budget, provisions. If the Assembly of the Association/Community disagrees with the recommendations of the central authorities, it shall notify them within 10 working days. In such cases, the Government will refer the matter to the Constitutional Court, the decision of which will be final and obligator}' for all parties.

6. Under the provisions listed above, the Association/Community will have full autonomy in the management and perusal of its integrated budget.
7. Any funding that the Association/Community may be set to receive beyond its integrated annual budget will be for expenditures in line with this Statute and shall require specific approval by the Government of Kosovo.
8. The Association/Community shall provide annual reports to the Government on the receipt and management of its funds. All funding, especially that from the Republic of Serbia, will be conducted under the legal provisions of Kosovo.
9. The Association/Community shall not infringe on the exclusive powers of the participating municipalities guaranteed by Article 40.2 of the Law on Local Self-government.

**DUKAGJINI**

## **VII. General and final provisions**

### Article 18

1. Within one year of the adoption of the Statute of the Association/Community, a review of its implementation shall be conducted by the Government. In case of disputes between the Government and the Association/Community resulting from the review, the Government will refer the issue to the Constitutional Court. Unless otherwise provided by the rules or official proceedings of the Constitutional Court, the Association/Community will have the right of representation of its arguments in case of a (Constitutional Court review).
2. In any aspect of its objectives, policies, rules of procedure, decisions, policies, or activities, the Association/Community will not undermine or circumvent the constitutionally and legally provided authority and competences of the participating municipalities nor in any way replace or undermine the constitutionally and legally provided relationship between the central and local authorities in the Republic of Kosovo.
3. Whenever necessary and in line with the Constitution and legal system of Kosovo, the

participating municipalities will enact their own procedures in the effectuation of the consequences of their membership in the Association/Community

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