

REGULATION MESP No. 21/2013 ON INTERNAL ORDER OF THE NATIONAL PARKS

Minister of Environment and Spatial Planning

Pursuant to Article 76 paragraph 1. And 2. of Law No.03/L-233 Nature Protection (OG, No. 85, dated 09.09.2010), article 8, sub-paragraph 1.4. of Regulation No.02/2011 for the Areas of Administrative Responsibility of the Office of the Prime Minister and Ministries, and Article 38 paragraph 6. of the Rules of Procedure of the Government No.09./2011 (OG No.15, 12.09.2011),

Issues:

REGULATION MESP ON INTERNAL ORDER IN THE NATIONAL PARKS

CHAPTER I I. GENERAL PROVISIONS

Article 1 Purpose

This Regulation prescribes the protection, preservation, advancement, promotion and use of the National Parks and defines measures for non-compliance of the provisions of this Regulation.

Article 2

Employees of the Directorate for the administration of the National Parks (hereinafter: the Directorate), National Park residents, owners and / or legal users of real-estate in the National Park, and natural and legal persons that within the National Park perform allowed activities as well as the National Park visitors, must respect the prescribed provisions of the Regulation.

Article 3

Owners or lawful users of real estates in the National Parks are required to allow representatives of the Directorate perform public service activities in order to protect nature, visiting those values for the purpose of scientific research and professional and the monitoring and supervision of implementation of the conditions laid down for the protection of nature.

CHAPTER II INTERNAL ORDER IN THE NATIONAL PARKS

Article 4 Protection of non-living world

1. In the territory of the National Parks are forbidden all activities which may cause changes or damage to this part of nature conservation as well as actions that change the natural appearance and damage the landscape values of the National Parks.

2. Exceptionally, with the permission of the Directorate, which is issued based on the nature protection conditions

which are determined by the Ministry of Environment and Spatial Planning (hereinafter the Ministry), in the protection regime – third area are allowed the construction, reconstruction of facilities that are used for protection, maintenance and promotion of National Parks, which does not change the natural appearance and does not damage the landscape values, according to the Spatial Plan of National Park.

3. The provisions of paragraphs 1, and 2, of this Article shall also apply to the construction and placement of temporary facilities.

Article 5

1. In the territory of the National Parks forbidden are all activities hydro-meliorates which changes the natural water regime, or change water flows in the National Parks.

2. Exceptionally, on the basis of scientific research and nature protection conditions which are determined by the Ministry are allowed actions hydro-meliorates according to Law of Nature Protection, Law of National Park “Bjeshket e Nemuna” and, Law of National Park “Sharri”.

Article 6

Prohibited is the extraction of gravel, ores and any other exploitation of natural resources or changing landscape.

Article 7

1. Prohibited is any contamination of air, soil and water, particularly:

1.1. disposal of waste materials from industry, households and others;

1.2. disposal of construction and demolition material;

1.3. discharge of fluids and use of chemicals that may be endanger the flora and fauna world, respectively forbidden to pollute the air, soil and water.

2. National Parks visitors are obliged that all waste to throw in the planned and marked places.

3. Directorate is obligated to provide and mark places for waste disposal in accordance with this Regulation.

Article 8 **Protection of flora**

In the territory of the National Parks is prohibited collection, storage, pickup the plants and mushrooms without the permission of the Ministry.

Article 9

It's prohibited the introducing and insemination of foreign plant species (alohtone), hybrids and cloning in the National Parks.

Article 10

1. In the territory of the National Parks it is allowed to exercise the traditional agriculture.

2. The mowing of the grass is permitted.

3. Directorate organizes mowing with the aim of protection against fire and maintenance of meadows according to the annual work plan.

Article 11

In the territory of the National Parks is prohibited to burn the grass and herbage.

Article 12

1. In the territory of the National Parks is prohibited cutting and re forestation.

2. Exceptionally, based on the Plan for forest conservation and protection and the permit by the Ministry it's allowed the sanitary cutting, cutting of grower's character, new cultivation and a forestation works, if it serves to preserve the forest communities in the National Parks.

3. To the Owner or holder of the rights of the real-estate on the National Parks may be permitted sanitary cutting, to meet family needs for firewood, cutting of grower's character, new cultivation and a forestation works based on the program of protection, preservation and maintenance of forests in areas designated for collecting of fire wood and in the defined season, with the permission of the Directorate.

4. In the Directorate permission of paragraph 3 of this Article shall also be determined the special conditions for permitting of activity.

4.1. allowed the use of trees when the weather conditions are suitable for the job;

4.2. not allowed to work in high risk areas;

4.3. workers should be trained and competent to use the equipment;

4.4. workers to wear appropriate and safe;

4.5. workers to have first aid equipment;

4.6. permitted to use 12m³ per household per calendar year;

4.7. is prohibited to put fire wood from the paragraph 4.6. in the market;

4.8. is prohibited the use of heavy machinery for the transfer of the trees;

4.9. is prohibited the use of fire wood within 50 m of a watercourse;

4.10. is prohibited the drive of vehicles out of formed roads;

4.11. is prohibited damage, destruction and disturbance of flora and fauna.

Article 13

Sanitary cuttings and other forest works shall perform at a time determined by the Management Plan of protection, preservation and maintenance of forests.

Article 14

Based on Management Plan of the National Park, the directorate is obliged each year, on March, to prepare and submit for approval the detailed annual plan, which includes the activities according to this Regulation.

Article 15

Protection of wild fauna

1. In the territory of the National Parks is prohibited the prosecution, disturbance, capture, injury and killing of animal species.

2. Exceptionally, based on scientific study and consent of the Ministry, can be caught animal types if it serves to the preservation of animal species of National Parks for the purpose of scientific research, application of sanitary measures, and to establish natural balance.

Article 16

It is prohibited the introduction and release of foreign animal species (allohton), hybrid or cloned in the territory of the National Parks.

Article 17

1. On the territory of the National Parks it is forbidden the aircraft flight below 400 m, except for the purpose of scientific research, filming or tracking the animal world with the permission of the Ministry.

2. Flight below 400 m, is allowed for official purposes only, for fire extinguishing and in emergency cases for rescue of people and property.

Article 18

1. In the territory of the National Parks is prohibited livestock grazing and movement.

2. Exceptionally, by the permission of the Directorate, which is issued on the basis of specific conditions for nature protection which are defined by the Ministry, in the territory of National Parks is permitted livestock grazing and movement in the property of National Parks residents in the places defined by Directorate.

Article 19

1. In the National Parks is prohibited spraying with chemicals or other forms of mass extinction of insects.

2. Exceptionally, on the basis of scientific studies and with the permission of the Directorate which is issued on the basis of specific conditions which nature protection are determined by the Ministry, may be undertaken protection from insect infections.

Article 20

1. In the territory of the National Parks is prohibited the collection of plants, mushrooms and their parts, and as well collecting medicinal herbs.

2. Exceptionally, on the basis of scientific studies and with the permission of the Directorate which is issued based on the specific conditions of nature protection and which determined by the Ministry, may be allowed the collection of plants, fungi and their parts, and collection of medical herbs.

Article 21 Hunting

1. In the territory of the National Parks are prohibited any type of hunting and hunting activities.

2. On the border of the National Parks, up to 500 m, is not permitted construction or establishment of facilities for animal economization with hunting animals and it's prohibited to conduct hunting activities.

Article 22

1. In the territory of the National Parks, it's prohibited the carrying and use of firearms and other tools suitable for

hunting (bow and arrows, traps, nets, etc.).

2. Short firearms may be carrying only by the authorized officer in accordance with the law and this Regulation.

Article 23 Fishing

1. In the territory of the National Parks is prohibited fishing.

2. Exceptionally, recreational fishing is permitted in the National Parks with the terms defined by this Regulation.

Article 24

1. For recreational fishing issue a permit.

2. The permit gives for period of 1-7 days.

3. The permit may be issued for the persons that possess the certificate for fishing.

4. For conducting recreational fishing in the territory of the National Parks shall be paid compensation to the Directorate.

5. The amount of compensation defined by the director of the Directorate.

Article 25

1. Recreational fishing can be done only with equipment of classic bait, artificial flies, with a hook with a twist or hook with a twist which has oppressed contra - curves.

2. Recreational fishing can be done from the coast, since the sunrise to sunset.

3. Recreational fishing is not permitted at night, and cannot be done from the boat.

4. At the time of seasonal ban, the fishing is prohibited.

Article 26

1. During recreational fishing, it is allowed fishing only one fish per day.

2. The fish caught cannot be sold.

3. The caught fish with length less than 35 cm must be returned immediately on the water.

Article 27

1. The hunting, collecting and taking of the water organisms in the territory of the National Parks is prohibited.

2. The shooting, collection and taking of the water organisms for educational purposes with the permission of the Ministry.

Article 28

1. Residents, owners and right holders of real-estate in the National Parks have right to obtain the license for recreational fishing, for a period up to one year.

2. For permits issued under paragraph 1, of this article shall be paid compensation which is appointed by the director of Directorate.

3. In the permit are defined the conditions for recreational fishing.

Article 29 Researches

1. National Parks as territories with a variety of natural and scientific values is intended for scientific researches.

2. All scientific researches in the territory of the National Parks, after the implementation of the recession for scientific research proposal, must have the consent by the Ministry.

3. Scientific research aimed at better recognition of ecosystems, or has monitoring character, have priority in consent obtaining.

4. For researches of the protected species of plants and animals, permission from the Ministry is obligated.

5. For permission under paragraph 4. of this article shall notified the Ministry of Education, Science and Technology.

Article 30

Prohibited are the scientific researches that would threat the authentic nature or will lead to a change of natural habitat and appearance of the landscape, or the significant disappearance of threatened plant species, or prosecution, disturbance, capture, injury and killing of animal species in the territory of National Parks.

Article 31

The Ministry has the right to suspend the researching activities if the researchers did not comply with the specified conditions defined in the permit or special agreement on the manner and timing of research and whether researchers with their operations and activities cause damage to the National Parks.

Article 32 Visitors

1. National Parks as area with significant aesthetic, tourism and recreation values are dedicated to the visitors.

2. Visitors may enter in to the National Parks in the places and locations determined for the entering in the National Park.

3. Directorate in cooperation with municipalities issue Program of visits and observation, which in detail regulates the possible sites to visit, at the same time the number of visitors, the manner of visits and organization of the visitor center.

Article 33

1. The visit in the National Parks shall be by charge.

2. Amount of payment for entry into the National Park defined the Directorate with the consent of the Ministry.

3. During the time of staying in the territory of the National Park visitor is obliged to keep the ticket.

Article 34

1. Within the boundaries of the National Parks allowed the visitors movement only in areas and trails that are marked and intended for visitors.

2. Pedestrian paths and places which can be visited are defined by the Directorate.
3. Directorate is obligated that the pedestrian paths and places which can be visited, to mark on appropriate manner.

Article 35

Movement of visitors outside of the areas and paths from Article 33, paragraph 1, and 2, of this Regulation shall be allowed only under supervision of an officer authorized from the Directorate.

Article 36

1. In the territory of the National Parks it`s prohibited the free movement of dogs.
2. Dogs must be kept tied on or in limited space and kept under control.
3. In certain areas for livestock grazing where dogs are being used for care is limited movement of visitors.

Article 37

Passenger transportation, traffic and parking

1. National Parks visitor transportation shall be organized by the Directorate.
2. Exceptionally, the Directorate may entrust the visitors transport from paragraph 1, of this Article, to the natural or legal person in the form specified.
3. For performing the activities referred to in paragraph 2, of this article, the Directorate shall issue an authorization (permit).
4. Passenger transport on public roads of National Parks is permitted.

Article 38

1. The average speed of motor vehicles on the roads of the National Parks except on public roads is limited:
 - 1.1. For tractors and working machines and cultivators, up to 20 km / h;
 - 1.2. Vehicles for transport of goods and passengers, up to 30 km / h;
2. Limitations in paragraph 1. of this Article shall not apply to the movement of vehicles with emergency signaling as:
 - 2.1. police vehicles;
 - 2.2. vehicles of the security forces;
 - 2.3. fire- extinguisher vehicles;
 - 2.4. ambulance;
 - 2.5. Directorate vehicles.
3. Traffic on public roads shall be carried out in accordance with the provisions which regulate road traffic.

Article 39

1. Parking of vehicles in the territory of the National Parks is allowed only in certain and marked places.

2. Parking places defines the Directorate.
3. Directorate is obligated to mark appropriately the parking places.

Article 40 **Accommodation and stay of visitors (guests)**

1. Accommodation and stay of visitors (guests) in the territory of the National Parks it's allowed only in certain marked places.
2. Places for staying and to overnight the guests are determined by the Directorate.

Article 41

1. In the territory of the National Parks it is prohibited the camping respectively entrenchment, except in regulated places for that purpose.
2. Exceptionally, with the permission of the Directorate, may be allowed entrenchment in special cases, e.g., mountainous service, rescue service, similar researches.

Article 42

It is forbidden firing outside settlements and sites that are specifically marked for that purpose.

Article 43 **Washing**

In the territory of the National Parks it is forbidden washing of people, animals, vehicles and the similar.

Article 44 **Recreation**

1. National Parks as area with significant recreational values is used for recreational activities.
2. Recreational activities are allowed only on the set places and marked in advance.
3. Directorate with the consent of the Ministry, determine the type of recreational activities and set certain places for recreational activities.
4. Directorate is required to ensure that provided places for recreation are marked appropriately.
5. Recreational activities organize the Directorate.
6. For Organizing recreational activities the Directorate may entrust to other natural or legal persons.

Article 45 **Farming and Livestock**

1. In the territory of the National Parks are banned the creation of new agricultural surfaces, construction and farm foundation for the maintenance of domestic and wild animals, as well as other agricultural activities and livestock.
2. Traditional agriculture is permitted on existing agricultural surfaces and cultivation of local breeds inherited.

Article 46 **Exercise of activities**

1. In the National Parks are permitted activities that do not threaten nature resource, and which do not use the nature goods, under conditions determined by the Ministry.
2. Legal and natural persons who perform activities in the territory of the National Parks are obliged to act in accordance with the law, this Regulation and other legal acts.
3. To conduct the activities in the territory of the National Parks its necessary to obtain permit by the Directorate.
4. For issuing the permit shall be paid compensation, amount of which shall be determined by the Directorate.
5. If the Directorate authorizes other legal or natural person, for activity exercising, shall apply the procedures of tendering according to the manner provided by law.

Article 47

1. Directorate will issue permission to the owners and rights holders of real-estate in the territory of the National Parks, to move freely without interruption till to their real-estate.
2. To move to another part of the territory of the National Parks, the owners and rights holders of the real-estate shall require obtaining special permission by the Directorate.
3. National Parks residents may move under the conditions defined by special permission of the Directorate.
4. With the permission from paragraph 2. and 3. of this article, are defined the places and territories that are not allowed the population movement, owners and rights holders of real estate in the National Parks.

Article 48

1. Natural and legal persons who need permanent circulation routes within the National Parks in which movement is limited, its necessary that for such circulation to have the permission by the Directorate.
2. Exceptionally, if the natural and legal persons needing a turnover in the ways in which movement is limited, the authorized person of the Directorate may allowed circulation.

Article 49

1. In the territory of the National Parks it's not permitted recording and photographing for commercial purposes without the permission of the Directorate.
2. For obtaining permission its necessary fee payment, the amount of which shall be determined by the Directorate.

Article 50

Between the Directorate and legal entities that operate in the territory of the National Parks, the mutual relations shall be regulated with contract under conditions determined by the Ministry.

CHAPTER III FIRE PROTECTION

Article 51

1. In purpose to take measures for preventing fires in the territory of the National Parks, the Directorate provides as following:

- 1.1. permanent service of monitoring and reporting, by employees of the Directorate;
- 1.2. permanent crossing roads and paths through the forest and forest land;
- 1.3. fire extinguishing equipment readiness and permanent technical advancement;
- 1.4. Prohibition of lighting fire outside of the settlement and the places which are specifically determined and marked for that purpose.

2. Fire protection measures in the National Parks shall applied by the Directorates employees under special act and the Operational Program.

3. Measures for fire protection in the territory of the National Parks are obliged to be implemented by all legal and natural persons.

CHAPTER IV SIGNS WITHIN NATIONAL PARK

Article 52

1. Signs in the territory of the National Parks are established by this Regulation and elaborate for signs which are determined by the Ministry.

2. Marking shall be in the official languages.

3. Marking can be also done in other foreign language, which decides the Ministry.

Article 53

1. National Parks boundaries are marked in the table.

- 1.1. Table shall be located at the road entrance to the National Park roads, where roads constitute the border of that part of nature conservation, and in other entries in the National Park.

2. In forest and other parts the boundary is marked with forest common signs in the trees, walls or any other suitable form.

CHAPTER V SUPERVISION AND ADMINISTRATIVE MEASURES

Article 54

Implementation on supervision of this Regulation commits the bodies of the Ministry in the specter of its responsibilities.

Article 55

1. Direct supervision of the National Parks performs the Directorate supervisors.
2. The supervisors have the defined powers by Law and this Regulation.

Article 56

1. Direct supervision, works on preserve and promote of the National Parks perform the nature rangers.
2. Nature rangers may exercise their duties and powers of supervisor in accordance with the Law and this Regulation.

Article 57

1. Supervisor and nature ranger, with special authorization, during the performance of supervising duties and implementation of protection measures in the National Parks, bear the sign of nature protection in accordance with the Administrative Instruction for Signs of nature protection and the Directorate that manages the protected area.
2. Supervisor and guardian of nature, by special authorization, during the performance of supervising duties and implementation of protection measures in the National Parks, carry the identity card issued by the Ministry in accordance with the provisions of Administrative instruction on the content, form and manner of issuing of identification card and appearance of uniform for the supervisors and nature ranger.
3. With the Identity card the supervisor of nature, and nature's ranger, by the specific authorization of the Directorate proof the official identity.

Article 58

1. Supervisor and nature ranger, with special authorization during the service of the Directorate in the National Parks wear the official uniform.
2. Type, form and pattern of official uniform, apparel and footwear, validity and retention schedule of uniform determined by the provisions of the Administrative instruction on the content, form and manner of issuing of identification card and appearance of uniform for the supervisors and nature ranger.

Article 59

If nature supervisor, ranger of nature, with special authorization, during the exercise of supervision, as well as taking measures and actions which are authorized, they faced with physical confrontation resistance or direct threat, or if resistance is expected, then the supervisor, supervisor of nature, and nature's ranger, with special authorization may seek assistance from the authorized officers of the competent police administration.

Article 60

Supervisor of nature, and nature's ranger, with special authorization during the supervision responds to the Directorate for the powers and responsibilities as well as the excesses of its powers set out in this Law and this Regulation.

**CHAPTER VI
TRANSITIONAL AND FINAL PROVISIONS**

Article 61

1. The Director of Directorate shall issue decisions pursuant to this Regulation, within 60 days from the date of entry into force of this Regulation.
2. Directorate within 90 days from the date of entry into force of this Regulation will perform marking in each National Park territory according to this Regulation.

**Article 62
Enter into force**

This Regulation shall enter into force seven (7) days after the publication in the Official Gazette of the Republic of Kosovo.

Dardan Gashi

Minister of Environment and Spatial Planning

Date: 09/10/2013