



Republika e Kosovës
Republika Kosova - Republic of Kosovo
Qeveria - Vlada - Government

No. __/__/__
Date: __/__/__

Pursuant to Article 92, paragraph 4, Article 93, paragraph 4 and Article 55 of the Constitution of the Republic of Kosovo; Article 4, Article 5, paragraph 2.3, Article 6, paragraph 1, Articles 10 and Article 12 of Law No. 07/L-006 on Preventing and Combating COVID-19 Pandemics in the Territory of the Republic of Kosovo; Article 89 of Law No. 04/L-125 on Health; based on Article 4 of Regulation No. 02/2021 on Areas of Administrative Responsibility of the Office of the Prime Minister and Ministries, and pursuant to Decision of the Government of the Republic of Kosovo No. 01/11 dated 15.03.2020 on the Declaration of Public Health Emergency and in implementation of the recommendations of NIPHK, for the purpose of controlling, preventing and combating the spread of SARS-CoV-2 virus, in accordance with Article 19 of the Regulation No. 09/2011 of Rules and Procedure of the Government of the Republic of Kosovo, the Government of the Republic of Kosovo, in the meeting held on __ January 2022, issues the following:

DECISION

For general and specific measures to control, prevent and combat COVID-19 pandemic

A. Territorial application

1. This decision shall apply to the entire territory of the Republic of Kosovo.

B. Entries and exits of foreign citizens to and from the Republic of Kosovo

1. Every person who enters the Republic of Kosovo shall possess one of the following evidence:
 - 1.1 Vaccination certificate with three (3) doses (or with one dose of Janssen vaccine and booster dose) against COVID-19;
 - 1.2 Certificate of vaccination with two doses (or one dose of Janssen vaccine) against COVID-19, together with a negative RT-PCR test for COVID-19, not earlier than 48 hours before departure (for air passengers) or 48 hours before arrival at the border crossing point (for those entering by land).

2. The following persons are released from the request to possess any of the evidence according to point 2.1 to 2.2:

- 2.1 Persons who enter Kosovo through the airport or through land border crossing points and leave Kosovo (transit) within three (3) hours through the airport or land border points, provided that at the entrance they sign the declaration that they will leave Kosovo within three (3) hours and that the exit at the border point shall be different from the border entrance;
- 2.2 Persons working as professional transporters (drivers), provided that they comply with the protocol for international transport for protection against COVID-19;
- 2.3 Citizens of the Republic of Kosovo who have left Kosovo in the last 12 hours;
- 2.4 Foreign citizens who pass through Kosovo through organized transport by bus or regular international line, transit, provided that a declaration is signed that they will leave the territory of Kosovo within five (5) hours;
- 2.5 Foreign diplomats accredited in Kosovo and members of KFOR troops;
- 2.6 Persons under the age of twelve (12) years;
- 2.7 Citizens of the Republic of Kosovo who do not have two doses of vaccine are obliged to respect home quarantine for a period of seven (7) days from the entry into the territory of the Republic of Kosovo;
- 2.8 Persons with medical evidence from the specialist doctor of the respective field that they have contraindications and are exempt from vaccination. Such persons must present a negative RT-PCR test for COVID-19, administered not earlier than 48 hours before departure (for passengers entering by air) or 48 hours before arrival at the border crossing point (for those entering the land road).
- 2.9 Persons from 12 years of age to 16 years of age must have a negative RT-PCR test not older than 48 hours.

C. [Protection and safety at work]

3. All employees of public institutions, central and local public enterprises, private businesses, organizations, as well as other entities, must possess one of the following evidence, in order to be allowed to enter the work premises:
 - 3.1 Certificate of vaccination with at least two doses or one dose of Janssen vaccine against COVID-19;
 - 3.2 Persons with medical evidence from a specialist in the relevant field that they have contraindications and are exempt from vaccination, must possess a negative RT-PCR test for COVID 19 not older than one week;

4. The highest administrative officer, or equivalent position, of public, private institutions, as well as other entities, is obliged to appoint one or more responsible persons who will control the possession of any of the evidence mentioned in points 4.1 to 4.2.
5. Public and private employers, as well as other entities, are obliged, based on the needs and nature of their work, to identify and determine the essential staff, as well as to organize the work only with this staff.
6. Public and private employers, as well as other entities, are instructed to create the conditions for performing work tasks from home for employees who are not essential staff, according to the needs of the employer.

Ç. [General protection and hygiene measures]

7. Public and private institutions and other entities are obliged to keep hand sanitizers and an amount of face masks in accessible places at the entrance of the building and indoors.
8. Public and private institutions, as well as other entities are obliged to place visible signs of the rules of conduct for protection from COVID-19 at the entrance of each building, including the sign prohibiting entry to the building without masks, respecting the distance of one (1) meter and promotional signs for vaccination according to the design of the Ministry of Health.
9. Officials of public and private institutions and other entities are obliged to carry out disinfection and ventilation of indoor spaces.
10. Wearing a mask covering the nose and mouth is mandatory in all cases, except:
 - 10.1 When driving alone, or when only close family members are exclusively present in the vehicle;
 - 10.2 When running, cycling and exercising;
 - 10.3 While eating or drinking.
11. Entry to closed buildings without a mask is prohibited.
12. All public and private institutions, as well as other entities are obliged to appoint an employee who will monitor the implementation of the measure defined in point 12 and the possession of evidence according to point 4.1 and 4.2.

D. [Circulation restriction]

13. Restriction of citizens' movement shall be from 22:00 to 05:00, except:

- 13.1 Cases of an emergency nature (to seek medical help, purchase medication, provide care or medical assistance, avoid injury, or escape the risk of injury);
 - 13.2 Circulation for health, safety personnel, and operators performing public works and services;
 - 13.3 Night shift personnel of economic operators who ensure the functioning of the supply chain (including transport of goods/services), but provided that they are provided with a special permit from the EDI system of the Tax Administration of Kosovo.
 - 13.4 Persons who provide proof that they must be at the airport during the curfew, because they have to travel by plane;
 - 13.5 Persons to whom a special temporary permit is issued by the Emergency Operational Centre of the Ministry of Internal Affairs, according to point 16, due to the necessity of circulation during curfew.
14. Employers are required to ensure that their employees who are subject to the restriction from point 14 have sufficient time to travel to their homes.
15. The Emergency Operations Center of the Ministry of Internal Affairs may issue a special permit for persons who provide sufficient evidence of the necessity to temporarily extend the time of circulation limitation.

Dh. [Education institutions]

16. The learning and teaching process in pre-school and daycare institutions shall take place according to the recommendations for pre-school institutions of NIPHK dated 20.01.2022.
17. The learning and teaching process in all pre-university education institutions of all levels, as well as in daycare centres shall take place in accordance with the MEST Guidelines for the organization of the educational process in the conditions of the Covid-19 pandemic. The task forces of the educational institutions decide on the application of scenarios for the organization of the teaching process, depending on the situation in the institution and in the classrooms.
18. The teaching process in public and private institutions of higher education, as well as in vocational and non-formal education institutions, can take place with physical presence provided that groups over 50 people are accommodated in no more than 50% of the space.
19. Students must possess any of the evidence mentioned in point 4.1 or 4.2 in order to be allowed registration to the dormitory.
20. Students in public and private university institutions must possess any of the evidence mentioned in point 4.1 or 4.2, in order to be allowed to enter the building of the institution.

21. Staff in all public and private institutions of all levels of education, including preschool and daycare institutions, must possess any of the evidence mentioned in point 4.1 or 4.2, in order to be allowed to enter the institution building.
22. The highest administrative officer, or equivalent position, of each institution according to points 20, 21 and 22, is obliged by decision to appoint one or more responsible persons who will control the possession of any of the evidence mentioned in point 4.1 or 4.2.
23. All public and private institutions of all levels of education are prohibited from organizing extracurricular activities, such as excursions, group walks, various parties of teaching staff or students.

E. [Showing up for social and pension schemes]

24. The Ministry of Finance, Labour and Transfers is instructed to exempt all beneficiaries of social and pension schemes managed by the MFLT from regularly showing up to the relevant offices for recording purposes, as required by relevant laws.

F. [Restriction of public and private gatherings]

25. Unless otherwise specified in this Decision, indoor gatherings of up to thirty (30) persons (workshops, meetings, seminars, trainings or other gatherings) are allowed. Except those under the age of 12, participants are obliged to possess any of the evidence mentioned in point 26.1 and point 26.2 in order to be allowed to enter these premises, and the organizer is obliged to provide a physical distance of one (1) meter between persons and check the relevant evidence, such as:
 - 25.1 Certificate of vaccination with at least two doses or one dose of Janssen vaccine against COVID-19;
 - 25.2 Persons with medical evidence issued by the specialist doctor of the respective field verifying that they have contraindications and are exempt from vaccination must present the negative RT-PCR test for COVID-19, which should not be older than 48 hours;
26. Meetings of the Assembly and Government are allowed regardless of the number of persons, respecting the wearing of masks and maintaining the physical distance of 1 (one) meter between persons.
27. The Emergency Operational Centre of the Ministry of Health may issue a special permit, exceeding the number of thirty (30) persons, for events of special importance in the function of public interest.
28. Outdoor gatherings and cultural events with up to fifty (50) persons (public) are allowed. The organizer is obliged to ensure the maintenance of a physical distance

of 1 meter between persons and the presentation of evidence recorded in points 26.1 or 26.2, except participants under the age of 12.

29. Notwithstanding points 28 and 29, for concerts and festivals with the public standing, the prohibitions set forth in point 34 apply.
30. Religious ceremonies and rites are allowed to carry out their activity up to 50% of the utilizing capacity, provided that they possess any of the evidence according to point 26.1 or 26.2 in order to be allowed to enter the indoor spaces, in accordance with the relevant instruction, except participants under the age of 12.
31. Holding a reception for consolation is prohibited.
32. Funerals are only allowed with the participation of close family, ensuring that participants maintain a physical distance of 1 (one) meter from each other.

G. [Prohibition of certain activities and organizations]

33. Regardless of the number of persons, the activity of night clubs as well as the organization of festivals, concerts, excursions, pilgrimages, weddings, engagements, family and social parties is prohibited throughout the territory of the Republic of Kosovo.

Gj. [Gastronomy]

34. Gastronomy services are allowed to carry out their activity. Clients and staff of the gastronomy must possess one of the evidences according to points 26.1 or 26.2 in order to be allowed to enter the indoor spaces of the premises, in accordance with the relevant instruction, except persons under the age of 12.
35. In the gastronomy premises it is obliged to appoint one or more responsible persons who will check the possession of any of the evidences mentioned in point 26.1 or 26.2.
36. The use of indoor spaces is allowed up to fifty (50%) of the capacity of the space. In open spaces it is allowed to use up to seventy (70%) of the space capacity. The area is calculated for the area where food and drinks are served.
37. The expressions 'open area' and 'closed area' have the same meanings as in Law No. 04/L-156 on Tobacco Control.
38. Customers shall stay seated at all times within the gastronomy service premises where food or beverage service is permitted, except:
 - 38.1 When entering or leaving the premises;
 - 38.2 While paying the order;
 - 38.3 When going to or returning from the toilet;

38.4 When necessary for health and safety purposes.

39. In cases from point 39.1 to 39.4 it is obligatory to wear the mask.
40. Gastronomy services are allowed to conduct their activity from 05:00 to 21:00.
41. Music is only allowed until 20:30.
42. Premise managers shall ensure that the distance between customers at different tables is at least one (1) meter.
43. The back of one chair with the back of the other chair should have at least one (1) meter distance.
44. Up to 4 people are allowed at the table in closed spaces. In case the tables are bigger than two (2) meters, then the precondition is the limit of five (5) people in 10 m².
45. Up to six (6) persons are allowed outside or at the table or counter.
46. Each table should be equipped with disinfectants containing at least 60% alcohol.
47. The "delivery" service is allowed to operate even after 21:00, after being provided with a special permit by the EDI system (TAK) and strict hygiene measures for the vehicle, orders and staff.

H. [Shopping malls and other economic operators]

48. The activity of shopping malls is allowed according to the relevant guideline.
49. All operators who have wholesale and retail trade as their economic activity are obliged to set the maximum number of customers in the premises at the same time according to the rule - 1 (one) person per 8 m². These operators are obliged to indicate at the entrance the maximum number of customers allowed inside at the same time. The area is calculated for the area where customers are allowed to stay.
50. Customers and staff in shopping malls must possess any of the evidence mentioned in point 26.1 or 26.2, in order to be allowed to enter the facility, except persons under the age of 12.
51. The entity that manages the shopping centre is obliged to appoint one or more responsible persons who will check the possession of any of the evidences mentioned in point 26.1 or 26.2., at each entrance to the shopping centre.

I. [Working with parties]

52. In public, private institutions and other entities, employees/staff who work with parties/direct contact with clients (including, but not limited to, barbers, taxi drivers, market and bank employees, etc.) , shall possess any of the evidence referred to in point 26.1 or 26.2 in order to be allowed access to the facility. It is obliged to appoint one or more responsible persons who will check the possession of any of the evidences mentioned in point 26.1 or 26.2. Receiving payments in electronic form, instead of cash, is encouraged.
53. The responsible person of the public or private institution, or other entities, is obliged to stop lining up or gathering inside and outside the work/business environment, unless they keep a physical distance of at least 1 meter from other groups of persons.

J. [Public and international transport]

54. Using public and international transport without a mask is prohibited
55. Passenger road transport operators are allowed to work using 50% of the seating capacity.
56. Up to two (2) passengers are allowed to travel in a taxi.
57. Public transport staff and passengers must possess any of the evidence mentioned in point 26.1 or 26.2, in order to be allowed to operate, respectively travel on public and international transport, except persons under the age of 12..
58. Each operator is obliged to appoint one or more responsible persons in each means of public transport, who will check the passengers for the possession of any of the evidences mentioned in point 26.1 or 26.2.

K. [Theatres, libraries, etc.]

59. Libraries, museums, cinemas, theatres, youth centres, cultural centres with groups or other similar subordinate institutions of MCYS or Municipalities, are allowed to work using 30% of the capacity of space/surfaces of the respective facilities, provided that the public is seated in a chair. It is obligatory to keep the mask and the physical distance of one (1) meter between persons.
60. The users of the activities according to point 60 must possess any of the evidence mentioned in point 26.1 or 26.2, in order to be allowed to enter the facility, except persons under the age of 12.
61. In the activities according to point 60, one or more responsible persons must be appointed by decision who will check the possession of any of the evidences mentioned in point 26.1 or 26.2.

L. [Sport and recreation]

62. Organization of sports competitions and exercises is allowed in accordance with the protocols and recommendations of world organizations for the organization of sports events and the protection measures of the Government of the Republic of Kosovo.
63. The number of participants in the competition (athletes, clubs, officials, and other participants necessary for the development of the competition) is determined by the sports federations respecting the measure of social distancing and other protective measures. Spectators are not allowed in indoor and outdoor competitive activities.
64. Fitness centres, gyms and other institutions for public use for sports and recreational activities are closed, with the exception of professional sports clubs.

LL. [Thermal spas]

65. In order to enter the thermal spas, customers and staff must possess any of the evidence specified in points 26.1 or 26.2 of this Decision, except those under 12 years of age. It is obligatory to appoint at least one employee who will check the possession of any of the evidences mentioned in point 26.1 or 26.2.

M. [Markets and slaughter of animals]

66. Public markets of vehicles, animals and poultry are allowed to carry out the activity by using 30% of the space/surface capacity of the respective facilities. It is obligatory to keep the mask and place the stands at a physical distance of at least two (2) meters.

N. [Personal data and the method of checking evidence according to points 4.1 to 4.2]

68. The appointment of authorized persons or authorized employees for the control of evidence according to points 26.1 or 26.2, is done through the decision where the name and surname of the authorized person are determined. These persons must be identifiable through the card/identification mark and their names must be posted at the entrance of the institution, shopping malls, gastronomy premises and any other business.
69. The presentation of the evidence referred to in points 26.1 or 26.2 shall be in a form which does not allow authorized persons or authorized services to control their possession, hold, store, record or process the data contained in evidence in

any form, unless the data subject has given his/her written consent to the processing of such data.

70. Authorized and designated persons, in order to check the evidence mentioned in points 26.1 or 26.2, in cases when the data subject has given his/her written consent for the processing of this data, are not allowed to retain the data or reuse it for purposes other than ascertaining possession of evidence, in the public health interest and for the sole purpose of combating the spread of the COVID-19 pandemic.

Nj. [Guidelines and clarifications]

71. The Ministry of Health is obliged to update temporary, general and special guidelines for preventing and combating COVID-19, as follows:

- 71.1 Temporary Guideline for the application of general measures for preventing and combating COVID-19;
- 71.2 Temporary Guideline for the sector of personal services and businesses, industry, public administration and NGOs;
- 71.3 Temporary Guideline for educational institutions of all levels;
- 71.4 Temporary Guideline for gastronomy, hospitality, sales sector and shopping malls;
- 71.5 Temporary Guideline for religious gatherings, funerals, workshops and cultural activities;
- 71.6 Temporary Guideline for gyms, sports halls and other recreational and sports activities;
- 71.7 Temporary Guideline for public and international transport;
- 71.8 Temporary Guideline for health care institutions;
- 71.9 Temporary Guideline for civil aviation;
- 71.10 Temporary Guideline for correctional institutions, asylum centres and foreigner detention centres;

72. The guidelines referred to in point 71 are mandatory for all persons and sectors to which they apply.

73. The Ministry of Health is obliged to issue clarifications, when needed, on the points of this Decision.

O. [Implementation]

74. The Minister of Health, FVA and the Kosovo Police, in cooperation with the municipal emergency headquarters, are obliged to monitor the implementation of this decision and to submit a weekly report to the Office of the Prime Minister (every Friday until 16:00).

75. The Ministry of Health, HUČSK and NIPHK are obliged to submit to the Office of the Prime Minister the weekly report (every Friday, at 16:00h), on the implementation of measures, the situation in health institutions, the epidemiological situation and forecasts for the next two weeks.

76. The Ministry of Health is obliged, based on Law No. 07/L-006 on Preventing and Combating COVID-19 Pandemics in the Territory of the Republic of Kosovo, to issue operational decisions, depending on the epidemiological situation and the recommendations of the NIPHK.
77. The Kosovo Police and the responsible inspectorates are obliged to supervise the implementation of the measures, other decisions and relevant guidelines pursuant to Law No. 07/L-006 on Preventing and Combating COVID-19 Pandemics in the Territory of the Republic of Kosovo.
78. For violators of the measures, the competent bodies are obliged to impose punitive measures according to Law No. 07/L-006 on Preventing and Combating COVID-19 Pandemics in the territory of the Republic of Kosovo and other applicable laws.
79. The only authority that can interpret this decision is the Ministry of Health, while any other institution can provide clarifications on the respective categories to which this decision applies, only after the approval of that clarification by the Ministry of Health.

P. [Repeal of Decision No. 02/46]

80. Government Decision No. 02/46, dated 30.11.2021 is hereby repealed.

Q. [Entry into force]

81. The decision enters into force on 22 January 2022, and is valid until 4 February 2022.

R e a s o n i n g

Measures to preserve public health and protect against COVID-19 have proven to be vital to limit COVID-19 transmission. According to recent reports from the National Institute of Public Health of Kosovo, the epidemiological situation with COVID-19 in Kosovo is stable, but the risk remains because the Omicron variant continues to be dominant. On 26 November 2021, the WHO announced the emergence of a new variant called Omicron as a disturbing variant which requires increased vigilance in epidemiological surveillance as well as the implementation of measures such as vaccination and non-pharmaceutical measures to prevent the spread of COVID-19.

On 26 December 2021, in the Microbiology laboratory in NIPHK, the Omicron variant of SARS-CoV-2 was detected in Kosovo. In such a situation, referring to the current data on the epidemiological situation, the classification of the prevalence and the recommendations of the NIPHK as well as the capacity of the health system and

public health services, the Government has taken measures whose main purpose is to preserve public health and prevent the spread of COVID-19.

Based on available scientific data, the risks of transmission of the COVID-19 virus are reduced among people who have been fully vaccinated and booster-vaccinated, and or who have just tested negative (RT-PCR) for the presence of the COVID-19 virus. Therefore, the Government has taken restrictive measures, including the movement schedule, in order to control and prevent the spread of COVID-19, in activities that bring together a large number of people in the same place, and in which maintaining physical distance is difficult and thus poses an increased risk of spreading the virus. Recent scientific data show that vaccination is the most effective means of preventing severe forms of disease and death.

The measures taken are proportionate to the health risks caused and appropriate to the circumstances of the time and place, as well as based on the authorizations of Law No. 07/L-006 on Preventing and Combating COVID-19 Pandemics in the territory of the Republic of Kosovo. The measures taken through this Decision do not define, in any case, the obligation of compulsory vaccination, since the restrictions imposed on the public can be met by presenting proof of vaccination status, the result of a test that concludes that the person is not infected with COVID-19.

The decision on measures against COVID-19 was based on an assessment of the situation of spread intensity and the capacity of the health system to respond, but also by assessing them in light of the effects these measures may have on the overall well-being of society and individuals.

The Ministry of Health has coordinated decision-making with stakeholders, who have been directly or indirectly affected by the pandemic. The Government notes that these stakeholders have exercised their right to democratic influence in decision-making, in accordance with Article 45.3 of the Constitution.

The measures set out in this Decision as well as the timelines serve to keep the epidemiological situation under control but do not exclude the possibility of undertaking new restrictive or mitigating measures.

Therefore, based on the recommendations given by the NIPHK, line ministries, stakeholders and relevant experts, it was decided as in the enacting clause of this Decision.

Albin KURTI

Prime Minister of the Republic of Kosovo

To be sent to:

- *Deputy Prime Ministers*
- *All ministries (ministers)*
- *Municipalities;*
- *Responsible inspectorates;*
- *Kosovo Police;*
- *Secretary-General of the OPM;*
- *Government Archive.*