



UNMIK/ED/2005/5  
25 April 2005

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**EXECUTIVE DECISION NO. 2005/5**

**ON A SPECIAL ZONING AREA – DEÇAN/DEČANI**

By the authority vested in me as Special Representative of the Secretary-General pursuant to United Nations Security Council resolution 1244 (1999) of 10 June 1999 and the Regulations of the United Nations Interim Administration Mission in Kosovo (UNMIK),

In conformity with the Constitutional Framework for Provisional Self-Government in Kosovo (UNMIK Regulation No. 2001/9 of 15 May 2001),

Taking into account the UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage, and the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage, which requires special measures for the protection, conservation, presentation and transmission to future generations of cultural and natural heritage of outstanding universal value,

Cognizant that the Deçan/Dečani canyon area, which includes Visoki Decani Serbian Orthodox Monastery (hereinafter "the Monastery") and the hermitage complex that lies within the area, represents cultural and natural heritage of special value,

Considering the obligations and activities of the Government under the applicable law relating to the development of spatial plans for special areas, including for areas of unique cultural, historic and natural heritage of special value, and that spatial plans are required *inter alia* to regulate economic development, infrastructure, population settlements and the environment in special areas, in conformity with international standards including UNESCO regulations concerning preservation of world heritage,

Considering that unregulated construction, industrial and commercial activities, including exploitation of natural resources, in the Deçan/Dečani canyon area present a high risk of causing irreversible damage to the cultural and natural heritage of the canyon and the Monastery,

Duly noting that the Monastery has been included in the UNESCO World Heritage List, and therefore requires adequate long-term legislative, regulatory, institutional and/or traditional protection and management to ensure its safeguarding,

Reaffirming UNMIK's request to the Kosovo Trust Agency to exclude from the privatization process certain disputed socially owned property located around the Monastery,

Having consulted with the Government, the Monastery, the Deçan/Dečani Municipality and KFOR,

For the purpose of provisionally establishing a Special Zoning Area encompassing the Deçan/Dečani canyon area and taking measures for preservation of the UNESCO World Heritage site located therein,

It is hereby decided as follows:

**Decision:**

1. There shall be established on a Special Zoning Area encompassing the Deçan/Dečani canyon area, which shall include within its delimitation the Orthodox cemetery before the Monastery, the bridge over Bistrica River, and the ridgeline on either side of the canyon, as set out in the attached map.

2. In the Special Zoning Area:

(a) No construction, reconstruction, industrial or commercial activity, including exploitation of forest, water and mineral resources, shall take place without a duly issued authorization approved by UNMIK;

(b) The existing road, which will remain under general KFOR oversight, shall not be widened without a duly issued authorization approved by UNMIK. Heavy commercial truck traffic shall not be allowed on this road without the authorization of KFOR or UNMIK;

(c) The municipal authorities shall take appropriate measures in respect of any existing buildings and structures which have been constructed without a duly issued construction permit; and

(d) Activity in and around the Monastery shall be in full compliance with UNESCO Conventions and guidelines.

3. The establishment of the Special Zoning Area shall not affect commercial or construction activity undertaken by the Monastery for its benefit, and activities in furtherance of the duly approved project of the Kozhner hydro power plant which lies outside the Special Zoning Area.

4. The relevant authorities shall commence consideration of how the municipal and regional roads and highways system can be best adjusted to accommodate the requirements arising from the special status of the area concerned.

5. A local committee chaired by the UNMIK Municipal Representative and comprised of representatives nominated by UNMIK, the Deçan/Deçani Municipality, the Monastery, KFOR, and the UNMIK Police Commissioner shall be formed to oversee, and make recommendations to the SRSG regarding any questions that may arise in connection with, the implementation of this Decision.
6. The establishment of the Special Zoning Area under this Decision shall not affect in any way the underlying title(s) in property located in that Area.
7. This Decision shall enter into force on 25 April 2005 and shall remain in effect for an initial period of six (6) months, which may be renewed.

Signed on this 25<sup>th</sup> day of April 2005.



Søren Jessen-Petersen  
Special Representative of the Secretary-General