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**PROVISIONAL INSTITUTIONS OF SELF-GOVERNMENT  
INSTITUCIONET E PËRKOHSHME TË VETQEVERISJES  
PRIVREMENE INSTITUCIJE SAMOUPRAVLJANJA**

**QEVERIA E KOSOVËS/ MINISTRIA BUJQËSISË, PYLLTARISË DHE ZHVILLIMIT RURAL  
VLADA KOSOVA/ MINISTARSTVO POLJOPRIVREDE, SUMARSTVA I RURALNOG RAZVOJA  
GOVERNMENT OF KOSOVA/MINISTRY OF AGRICULTURE, FORESTRY AND RURAL DEVELOPMENT**

**ADMINISTRATIVE INSTRUCTION NO. 36/2006  
ON RE-CULTIVATION OF AGRICULTURAL LAND**

**DECEMBER 2006  
PRISTINA**

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UNMIK



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GOVERNMENT OF KOSOVA/MINISTRY OF AGRICULTURE, FORESTRY AND RURAL  
DEVELOPMENT**

The Minister of the Ministry of Agriculture, Forestry and Rural Development, in accordance with:

Article 5.1 paragraph (n) of UNMIK Regulation No. 2001/9 date 15 may 2001 on the Constitutional Framework for Provisional Self-Government, article 1.3 paragraph (d) of UNMIK Regulation No. 2001/19 date 13 September 2001 on the Executive Branch of Provisional Institutions of Self-Government in Kosovo and articles 18.6 and 44.2 of the Law No. 02/L-26 on Agricultural Land, as promulgated by UNMIK Regulation No. 2006/37 on the Promulgation of the Law on Agricultural Land adopted by the Assembly of Kosovo, as of 23 June 2006,

For the purpose of implementing the Law on Agricultural Land by specifying the terms, procedures and activities referring to re-cultivation of agricultural land,

Issues the following:

**Administrative Instruction No. 36/2006  
On Re-Cultivation of Agricultural Land**

**Article 1  
Purpose**

The purpose of this administrative instruction is to set the methodology for drafting re-cultivation projects according to Article 18 of the Law on Agricultural Land which only applies to re-cultivation projects for agricultural land that has been subject to interim or non-permanent change of use according to Article 17 of the Law on Agricultural Land.

**Article 2**  
**Contents of Project for Re-Cultivation**

The re-cultivation project shall comprise:

- a) Method of removing and preserving fertile topsoil and potentially fertile topsoil;
- b) Technical, agro-technical and biological procedures of re-cultivating agricultural land;
- c) Dynamics of returning the land to agricultural production;
- d) Research of harmful and hazardous matter in re-cultivated land; and
- e) Financial amount of the project.

**Article 3**  
**Removing and Preserving Topsoil**

Within the description of the project for re-cultivation the section on the method of removing and preserving fertile topsoil and potentially fertile topsoil shall comprise:

- a) Description of soil type and soil fertility class;
- b) Description of soil horizons to be preserved;
- c) Area of natural soil affected and quantity (volume) of soil affected by the interim change of use;
- d) Description of technology to be applied for removal of soil;
- e) Description of storage conditions for removed topsoil and methods for preserving soil quality.

**Article 4**  
**Technical, Agro technical and Biological Re-cultivation Measures**

Within the description of the project for re-cultivation the section on technical, agrotechnical and biological re-cultivation methods shall comprise:

- a) Description of investigation measures prior to the start of re-cultivation measures to determine possible contaminations of soil and groundwater that might have been caused during the period of interim use;
- b) Description of materials, substances that were stored, used or produced on the site during the period of interim use and that might have been incorporated in soil, might have contaminated soil or groundwater or that might have been left on the site;

- c) Description of clean-up and remediation procedures and technologies for wastes, soil contaminations and groundwater contaminations;
- d) Description of the method to be applied to re-install the topsoil removed and stored for the time of interim use;
- e) Description of methods to be applied to improve physical, chemical and biological soil properties to levels that are at minimum equivalent to the conditions prior to the change of use of agricultural land. These might include melioration and soil conditioning measures to reduce soil compaction, improve soil structure and soil texture, improve water holding capacities, improve soil aeration, improve biological properties of soil, and improve soil fertility as necessary;
- f) The measures applied might include methods and technologies such as soil tillage, application of inorganic and organic fertilizers, application of soil conditioners, planting or sowing of soil ameliorants, and construction of drainage or irrigation systems;
- g) Description of the cultures that are planned to be cultivated on the re-cultivated agricultural land during the five-year period following the completion of re-cultivation.

#### **Article 5**

#### **Dynamics of Returning the Land to Agricultural Production**

Within the description of the project for re-cultivation the section on dynamics of returning the re-cultivated land to agricultural production shall comprise:

- a) Timeframe and schedule for re-cultivation activities;
- b) If planting or sowing of soil ameliorants is part of the re-cultivation measures, description of the timeframe and the intervals of their application;
- c) Description of post-recultivation measures to ensure sustainable re-cultivation including monitoring and aftercare measures.

#### **Article 6**

#### **Research of Harmful and Hazardous Matter**

The project for re-cultivation shall comprise a description of the analytical investigation of soil and groundwater for contaminants and hazardous materials to be realised prior to their return to agricultural production. The description shall also contain the risk assessment criteria for potential contaminants based on applicable environmental legislation.

**Article 7**  
**Financial Amount of the Project**

The description of the project for re-cultivation shall include a cost estimate based on quotations for all activities that are part of the re-cultivation project including design, investigation, remediation, soil conditioning and soil melioration as well as post-recultivation monitoring and aftercare measures.

**Article 8**  
**Assessment and Approval of Draft Projects**

8.1 The draft of the re-cultivation project should be submitted to the municipal body competent for agriculture for review, assessment and approval. Based on the assessment, the municipal body competent for agriculture might demand amendments before approval.

8.2 The Inspection for agriculture shall supervise and observe implementation of the approved re-cultivation project.

**Article 9**  
**Fines**

Any person who fails to observe the provisions of this Administrative Instruction will be subjected to fines according to Article 42.1 (d) of the Law on Agricultural Land.

**Article 10**  
**Entry into Force**

This administrative instruction shall enter into force on the date of signature.

Pristina: 27 December 2006

Deputy Minister  
of the Ministry of Agriculture, Forestry  
and Rural Development  
Tomë Hajdaraj

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