



**Republika e Kosovës
Republika Kosova-Republic of Kosovo
Gjykata Kushtetuese / Ustavni sud / Constitutional Court**

Pristina, 14 June 2010
Ref.No.: URDH 33/10

ORDER

Case No. KI 11/09

Tome Krasniqi

and

**Radio and Television of Kosovo (hereinafter referred to as: RTK) and the Kosovo
Energy Corporation (hereinafter referred to as: KEK)**

THE CONSTITUTIONAL COURT OF THE REPUBLIC OF KOSOVO

composed of:

Enver Hasani, President
Kadri Kryeziu, Deputy President
Robert Carolan, Judge
Altay Suroy, Judge
Almiro Rodrigues, Judge
Snezhana Botusharova, Judge
Ivan Čukalovic, Judge
Gjyljeta Mushkolaj, Judge and
Iliriana Islami, Judge

Introduction

1. The Constitutional Court recalls its Decision of 16 October 2009 in relation to the above Referral. In that Decision the Court granted an interim measure on the further application of the provision of Article 20.1 of the Law on Radio Television of Kosovo, pending a decision on the merits of the Referral. The Court also recommended to the Assembly of the Republic of Kosovo that it reviews, until December 2009, the nature of Art. 20.1 of the Law on Radio Television Kosovo and practices based on the provisions of that law pending a final Decision of the Court on the merits of the Referral.
2. The Decision was notified to the parties, the Assembly of Kosovo and was duly published and it was in effect from the making of the Decision.

Correspondence from the Assembly of Kosovo

3. Pursuant to that duly published Decision the President of the Assembly of Kosovo wrote to the Constitutional Court by letter dated 30 April 2010 and enclosed a

memorandum, dated 29 April 2010, addressed to the President of the Assembly from the Committee on Public Administration, Local Government and Media.

4. That memorandum provided information on the steps that had been taken by the Assembly in relation to its proposed amendments to the Law on the Radio Television of Kosovo. The memorandum referred to, *inter alia*, the establishment of a working group with experts to draft proposed amendments to the law, the drafting of amendments, the preparation of an annual work plan to include income and expenditure, the addressing of this work to the Parliamentary Committee and the intention to continue working on the amendment of the the Law on Radio Television Kosovo. The memorandum also confirmed that the Assembly of Kosovo had approved Decision No. 03/237 for the provisional financing of Radio and Television of Kosova for the period from 1 January through 30 June 2010.
5. The Court bears in mind the following:
 - i. the effect of the Decision of the Constitutional Court in granting the interim measures of the application of Article 20.1 of the said Law.
 - ii. the efforts that have been reported to the Court to ensure compliance with its recommendation, and
 - iii. the time constraints that may be encountered by the Assembly in implementing new laws in relation to amending the Law on Radio Television Kosovo.

The Court, having deliberated on the matter on 14 June 2010, by a majority vote:

DECIDES

- I. To extend the interim measures granted by the Court in its Decision of 16 October 2009 until 1 January 2011;
- II. Requests the Assembly of Kosovo to inform the Court in a timely manner on progress in relation to compliance with its recommendation prior to 1 January 2011
- III. Remains seized of the matter pending further considerations; and
- IV. This Decision shall be notified to The Applicant, the parties, the Assembly of Kosovo and shall be published in the Official Gazette of the Republic of Kosovo.
- V. This Decision takes effect immediately.

Judge Rapporteur

Dr. Iliriana Islami, signed



President of the Court

Prof. Dr. Enver Hasani, signed