

09/ZDP/VE/2024  
Date: 24 April 2024

In accordance with articles 15.1 (a), 20.1, 21.2, 35, and 36 of Law no. 03/L-051 on Civil Aviation, amended by Law no. 08/L-063 on amending and supplementing the laws related to the rationalization and establishment of accountability lines of the independent agencies, Article 24 of Law No. 06/L-113 on the Organization and Function of State Administration and Independent Agencies, the Agreement for Regular Air Services between the Government of the Republic of Kosovo and the Federal Council of Switzerland, dated 30 November 2010 (hereafter “the Agreement”) and the Memorandum of Understanding for the air services agreement dated 29 April 2009 between aeronautical authorities of the Republic of Kosovo and Switzerland (hereafter “the Memorandum”),

In accordance with Decision no. 05/ZDP/VE/2024, dt. 11 March 2024, as well as the conclusions and recommendation given by the Working Group, appointed by Decision no. 08/ZDP/VE/2024 dt. 04 April 2024, for the review of documentation submitted in Civil Aviation Authority of Republic of Kosovo (hereinafter "CAA"),

With the purpose to protect the public and state interest, with the aim of providing good services at competitive prices for passengers,

The General Director of Civil Aviation Authority issues the following:

### DECISION

1. "GP Aviation" Ltd., with AOC No. BG65 and with Certificate of Registration of branch in Kosovo no. 811882217, is **DESIGNATED** to exercise air traffic rights in accordance with the Agreement and the Memorandum, to and from the Confederation of Switzerland, for a three (3) year's period, from the day of the start of the regular air services.
2. During the time of the delivery of the air services, the air operator under paragraph 1 of this Decision is obliged to comply with the criteria set forward with Decision no. 05/ZDP/VE/2024 and the undertaken obligations through statements submitted to CAA on 25 March 2024 and the additional clarifications submitted on 19 April 2024.
3. The air operator under paragraph 1 of this Decision is required to submit to CAA no later than 1<sup>st</sup> of May 2024 a bank guarantee on behalf of the CAA in the amount of one hundred thousand (100,000) euros, which can be executed in case of non-fulfillment of the committed obligations.
4. The air operator under paragraph 1 of this Decision is required to start regular round-trip air services from Prishtina to Zurich, Geneva and Basel by 1<sup>st</sup> June 2024, at the latest.

5. CAA has the right to extend the term of the designation, as defined in paragraph 1. of this Decision, for another period of time, in cases of positive evaluations of the fulfillment of the criteria, in accordance with Decision no. 05/ZDP/VE/2024 and the undertaken obligations.
6. CAA has the right to revoke this designation before the end of the term defined in point 1. of this Decision in cases of the start of operations of a Kosovo airline, or in case of non-fulfillment of the criteria specified by Decision no. 05 /ZDP/VE/2024 and undertaken obligations.
7. The decision enters into force on the day of its signing.

## **RATIONALE**

In order to ensure the development of genuine competition, the offering of good services at competitive prices for passengers in the air service market between Kosovo and Switzerland, and in order to protect the public and state interest, CAA had decided through Decision no. 05/ZDP/VE/2024 dt. 11<sup>th</sup> March, 2024, to announce a Public Call for air operators who can offer flight plans and scheduled flight capacity to acquire the right to fly through designation to destinations between the Republic of Kosovo and the Swiss Confederation, and vice versa. The criteria to be authorized as an air operator to exercise the rights emphasized above, were foreseen in the Annex of Decision no. 05/ZDP/VE/2024. The public call was kept open from 11<sup>th</sup> March 2024 to 25<sup>th</sup> March 2024, where interested operators could submit their expression of interest in CAA.

During this period, CAA has received the expression of interest from the air operator "GP Aviation" Ltd, where the air operator in question has expressed its interest to operate regular flights with a fixed schedule through the destination from the Republic of Kosovo to the Confederation of Switzerland and vice versa, as an operator designated by the Republic of Kosovo.

On 4<sup>th</sup> April 2024, the General Director of CAA, through Decision no. 08/ZDP/VE/2024, appointed a Working Group for reviewing the documentation submitted in CAA, based on the criteria announced through Decision no. 05/ZDP/VE/2024 of 11<sup>th</sup> March 2024.

The Working Group, after reviewing the documentation submitted by "GP Aviation" Ltd., on 17<sup>th</sup> April 2024, as well as after receiving the clarifications on 19<sup>th</sup> April 2024, has concluded that the applicant has met the criteria and as a result has recommended the General Director to act as in the enacting clause of this Decision.

CAA will continuously monitor all obligations and commitments that the air operator "GP Aviation" Ltd. has undertaken, through the statements submitted during the application process.

This designation can be revoked before the end of the three (3) year period in the event of the start of operation of an air company registered in Kosovo, as well as in the event of non-fulfillment of the criteria of Decision no. 05/VE/ZDP/2024, and the committed obligations.

Considering articles 15.1 (a), 20.1, 21.2, 35, and 36 of Law No. 03/L-051 on Civil Aviation, amended by Law no. 08/L-063 on amending and supplementing the laws related to the rationalization and establishment of accountability lines of the independent agencies, Article 24 of Law No. 06/L-113 on the Organization and Function of State Administration and Independent Agencies, the Agreement for Regular Air Services between the Government of the Republic of Kosovo and the Federal Council of Switzerland, dated 30 November 2010 and the Memorandum of Understanding for the air services agreement dated 29 April 2009 between aeronautical authorities of the Republic of Kosovo and Switzerland, Decision no. 05/VE/ZDP/2024, the Recommendation of the Working Group appointed for the review of documentation submitted in CAA, the General Director has decided as in the enacting clause of this Decision.

**Instruction on the legal remedy:** Dissatisfied party with this Decision can raise an administrative dispute before the Basic Court in Pristina, Department for Administrative Affairs, within 30 days from the day of receipt.

**Burim Dinarama**  
Acting General Director

The decision is sent to:

- "GP Aviation" Ltd.
- Minister of Environment, Special Planning and Infrastructure;
- Federal Office of Civil Aviation FOCA (FOCA); and
- CAA Archive.