



**Republika e Kosovës**  
**Republika Kosova - Republic of Kosovo**  
**Autoriteti Kosovar i Konkurrencës**

Autoritet Kosova za Konkurenciju - Kosovo Competition Authority

---

Pursuant to Article 23, Article 28 of Law no. 03 / L-229 on Protection of Competition and Amending the Law No. 04 / L-226, the Commission of the Kosovo Competition Authority composed of: Valon Prestreshi - Chairman, Ahmet Krasniqi – Deputy Chairman, Fatime Haziri - Commissioner, and Shaqir Morina Commissioner, on the request from the Civil Aviation Authority of Kosovo, "On the issue of competition of operators engaged in providing ground services at PIA" Adem Jashari ", at the meeting held on the date 19.11.2019 gives this:

**PROFESIONAL OPINION**

- I. The Kosovo Competition Authority, hereinafter ref (Authority), engages in all forms of prevention, restriction or misuse of competition (Abuse of Dominant Position, Prohibited Agreements, Concerted Practices and Realization of illegal Concentrations) by private economic undertakings or public, but also by restrictions caused by state administration and regulatory bodies in or outside the territory of the Republic of Kosovo, if such actions have effects in Kosovo.
- II. The KCA evaluates that CAA and Prishtina International Airport, namely the concessionaire LIMAK, should enforce the Pristina International Airport Concession Contract Rules, review the ground services barriers, as provided in the Concession Agreement.- Public Private Partnership-PPP as following:
  - a. *Public Private Partnership Contract respectively Article 9.1.16 (ground services),*
  - b. *comply with the laws and regulations of the Republic of Kosovo,*
  - c. *comply with Directive 97/67 / EC.*
- III. The Authority points out that any legal or factual limitation on the number of operators who are potential to engage in an activity in a given market (numerus clausus) is generally undesirable from a competition point of view,
- IV. The Authority considers that operators should not be restricted by discriminatory / exclusionary conditions and criteria. Such restrictions may lead to the benefit of one particular operator by placing other operators at a disadvantageous competitive position. Ensuring efficient competition would enable companies to compete with their offer which

will ultimately be in favor of end users / users who will be able to select the most appropriate offer for the operators products / services

- V. The fundamental principle of competition law and policy is to provide free market access to any undertaking that meets the conditions to compete in that market in the interests of service users and can compete on price and quality.
- VI. The Authority gives this professional opinion by handling the claim, based on Competition Law and policies

**COMMISSION**  
**KOSOVO COMPETITION AUTHORITY**

( \_\_\_\_\_ )  
Valon Prrestreshi  
President

( \_\_\_\_\_ )  
Ahmet Krasniqi  
Deputy President

( \_\_\_\_\_ )  
Fatime Haziri  
Commisioner

( \_\_\_\_\_ )  
Muhamed Krasniqi  
Commissioner

( \_\_\_\_\_ )  
Shaqir Morina  
Commissioner