

FOREIGN TRADE SOCIETY AND PROTECTION OF DIRECT FOREIGN INVESTMENT IN THE REPUBLIC OF KOSOVO

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ABSTRACT

The aim of this thesis is the reflection of theoretical, legal and practical data for registration of foreign trade society in the Republic of Kosovo, as an opportunity for direct foreign investment. The motivation for this thesis is, presentation of legal environment, which for foreign investments in Kosovo is extremely liberal and friendly. For practical and methodological reasons, this thesis is divided into two parts. In the first part are treated: Forms of organization and registration possibilities of foreign trade society in Kosovo and possibility of unification of foreign trade society with the local trade society. In the second part is treated: Legal protection of foreign trade society, in the prism of the protection of foreign direct investment in Kosovo. A specific emphasis is dedicated to the principles for protection of foreign investments, such as: non-discrimination, compliance with obligations and stability of the investment regime. Furthermore, are given guarantees in the case of expropriation and nationalization, compensation, currency conversions and guaranteed transfers, and guarantees in the case of illegal actions or non-action and guarantees in case of armed conflict and civil disturbances. Is treated respect of the rights, compliance with the laws and standards, the treatment of foreign personnel, procedure of liquidation of foreign investments, mechanisms for resolving disputes, applicable law for disputes related with foreign investments, final and obligative nature of arbitration decision and actions in their case of conflict with international agreements and other laws. In the end, is treated: registration of foreign investments, programs and measures for the creation and development of small and medium enterprises (SMEs) and are given explanations related the Agency for investments and support of enterprises in the Republic of Kosovo. Finally, are given conclusions and recommendations.

Keywords: Trade Society, foreign investment, legal protection.