



Republika e Kosovës
Republika Kosova-Republic of Kosovo
Kuvendi - Skupština - Assembly

Law No. 03/L-045

LAW ON MINISTRY FOR THE KOSOVO SECURITY FORCE

The Assembly of the Republic of Kosovo,

On the basis Article 65(1) of the Constitution of the Republic of Kosovo,

And for the purpose of regulating the responsibility and competences of the Republic of Kosovo's institutions in the field of security,

Hereby adopts:

THE LAW ON THE MINISTRY FOR THE KOSOVO SECURITY FORCE

Article 1
Application of Law

A Ministry for the Kosovo Security Force is hereby established within the Government of the Republic of Kosovo, over which the Minister for the Kosovo Security Force shall have executive authority.

Article 2
General Principles

2.1 The Assembly of the Republic of Kosovo, President, Prime Minister, and Minister for the Kosovo Security Force comprise the chain of civilian oversight of the Kosovo Security Force, as set out in the Constitution, this law and other relevant laws.

Article 3
Ministry for the Kosovo Security Force

3.1 The Minister for the Kosovo Security Force shall have general control and administration of the Kosovo Security Force, including all powers vested in the Commander of the Kosovo Security Force.

3.2 The Minister for the Kosovo Security Force shall represent the Republic of Kosovo on KSF related matters within the international arena at ministerial level. He may delegate this function for specific activities.

3.3 The Minister for the Kosovo Security Force and the Deputy Minister for the Kosovo Security Force shall be appointed by the Prime Minister subject to approval by the Assembly of the Republic of Kosovo.

3.4 The Minister for the Kosovo Security Force is accountable to the Kosovo Assembly through the Prime Minister.

3.5 The Minister for the Kosovo Security Force, Deputy Minister and/or the Permanent Secretary of the Ministry for the Kosovo Security Force shall appear before the appropriate Assembly Committee to report on Kosovo Security Force matters when requested to do so.

3.6 The Minister for the Kosovo Security Force, shall recommend a suitable candidate to be appointed Commander of the Kosovo Security Force by the President

3.7 The Minister for the Kosovo Security Force, following consultation with the Commander of the KSF, shall recommend to the President, all promotions to the ranks of General Officer.

3.8 The Minister for the Kosovo Security Force following consultation with the Commander of the KSF, shall recommend to the President, all changes of appointment and status of General Officers.

3.9 The Minister for the Kosovo Security Force shall personally approve all projects with a value less than €1 million. Authority to approve projects valued at less than €500,000 may be delegated to the Permanent Secretary and authority to approve projects valued at less than €200,000 may be further delegated to the head of the Procurement and Contracts Department.

3.10 The Minister for the Kosovo Security Force shall be responsible for:

- a) proposing a budget for the Kosovo Security Force and the Ministry for the Kosovo Security Force and oversee expenditure from the approved budget,
- b) preparing all necessary policy documents affecting the Kosovo Security Force for consideration by the Kosovo Security Council,
- c) recommending to the Prime Minister the size and structure of the Kosovo Security Force within budget and an initial overall limit of 2,500 active personnel and 800

reserves, subject to the endorsement of the International Military Presence for the first five years after entry into force of this law,

- d) preparing regulations for the organization of units within the Kosovo Security Force based on the recommendations of the Commander of the Kosovo Security Force,
- e) developing, rendering and implementing laws, policies and regulations relating to the Ministry for the Kosovo Security Force and the Kosovo Security Force, including in the areas of organization, administration, personnel, human rights and community affairs, discipline and conduct, training, weapons management, equipping and employment of the Kosovo Security Force,
- f) developing, for approval by the Kosovo Assembly as appropriate, strategies and directives to implement the comprehensive security strategy as approved by the Assembly of the Republic of Kosovo,
- g) managing the infrastructure and equipment owned by the state and allocated to the Ministry for the Kosovo Security Force for use by the Ministry for the Kosovo Security Force and the Kosovo Security Force,
- h) oversight and inspection of the Kosovo Security Force,
- i) organization of the communications system of the Kosovo Security Force, including installation of secure communications systems,
- j) oversight of all Kosovo Security Force intelligence activities, which shall be limited to the gathering, processing and dissemination of that information that is essential for support of the mission of the Kosovo Security Force,
- k) proposing to the Government plans for the use of the Kosovo Security Force in operations overseas or in humanitarian operations in support of civilian authorities,
- l) ensuring transparency and effectiveness in its functions,
- m) performance of research and provision of expert opinion on Kosovo Security Force related matters,
- n) performance of other tasks as provided by law.

3.11 The Ministry for the Kosovo Security Force shall be staffed with civil servants, employees and active members of the Kosovo Security Force assigned to it in accordance with relevant laws and as part of their routine rotation of duties.

3.12 The percentage of posts in the Ministry for the Kosovo Security Force filled by active members of the Kosovo Security Force shall not exceed 40 percent of the authorized positions.

Article 4 **Democratic Oversight**

4.1 In accordance with the law, the relevant Parliamentary Committee of the Assembly of the Republic of Kosovo shall have the competence to:

- a) examine Strategies, Laws, and Policy documents submitted by the Ministry for the Kosovo Security Force through the Government of the Republic of Kosovo, in accordance with this law, and prepare them for debate in the Assembly of the Republic of Kosovo,

- b) demand the presence of the Minister for the Kosovo Security Force, or the Permanent Secretary of the Ministry for the Kosovo Security Force, at their meetings and to answer any questions,
- c) review the budget for the Kosovo Security Force and the Ministry for the Kosovo Security Force prior to its submission to the Kosovo Assembly for approval,
- d) review all equipment projects of a value higher than €1 million proposed by the Ministry for the Kosovo Security Force, both those to be funded by the Government and those to be funded by donors, prior to their submission to the Kosovo Assembly for approval.

4.2. The Provisions under article 3 and article 4 of this Law do not derogate from the rules of the Public Procurement.

Article 5 **Entry into Force**

This Law shall enter into force after its adoption by the Assembly of the Republic of Kosovo and its promulgation in the Official Gazette of Kosovo.

Law No. 03/L-045
13 March 2008

President of the Assembly of the Republic of Kosovo

Jakup KRASNIQI

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