

**LAW NO. 06/L-124****ON SERVICE IN THE KOSOVO SECURITY FORCE**

**The Assembly of the Republic of Kosovo,**

Based on Article 65 (1) of the Constitution of the Republic of Kosovo,

Approves:

**LAW ON SERVICE IN THE KOSOVO SECURITY FORCE****Article 1  
Purpose**

This Law shall regulate general conditions of the service in the Kosovo Security Force.

**Article 2  
Scope**

This Law applies to the Kosovo Security Force, including active members, reserve, cadets, recruits and its civilian personnel.

**Article 3  
Definitions**

1. To implement this Law, expressions and terms used in this Law shall have the following meanings:

- 1.1. **KSF** – Kosovo Security Force;
- 1.2. **Government** – Government of the Republic of Kosovo;
- 1.3. **Minister** – Minister of Defense;
- 1.4. **Ministry** - Ministry of Defense;
- 1.5. **Commander of the KSF**– Commander of the Kosovo Security Force;
- 1.6. **KSF Member** – a citizen of the Republic of Kosovo, who serves in the Kosovo Security Force, under military oath and wears uniform with respective symbols;
- 1.7. **Active Member of the KSF** – a citizen of the Republic of Kosovo, who serves in the active component of the KSF, as an Officer, Non-Commissioned Officer or Private;
- 1.8. **Reserve Member of KSF** – a citizen of the Republic of Kosovo, whose secondary job is to serve to the KSF Reserve Component as an Officer, Non-Commissioned Officer or a Reserved Private. While being engaged to the service, the Reserve Member is Active Member of the KSF;
- 1.9. **Civilian Personnel in the KSF** - civilian employees who serve in the KSF in accordance with the Law on Labour and the Law on Civil Service;

1.10. **Personnel of the KSF** – includes active, reserve members, cadets as well as civilian personnel of the KSF;

1.11. **Disciplinary board of the KSF** – competent authority, which reviews and decides on all serious violations of the KSF members;

1.12. **General Headquarters** – constitutes the highest level in the military organizational structure in the Kosovo Security Force and is led by the Commander of the KSF;

1.13. **Parliamentary Commissioner for KSF** – an independent body elected by the Assembly of Kosovo, which protects the rights of the KSF personnel. Functioning and competencies of this institution shall be regulated by a special Law;

1.14. **Desertion** - the act of deliberately and illegally leaving the service during the state of emergency.

#### **Article 4 Service in KSF**

The service in KSF determines the service of a member of the KSF in accordance with the terms and conditions set out in this Law in fulfilment of constitutional and legal powers and duties.

#### **Article 5 Principles of Service**

1. The service in KSF is based on the following fundamental principles:

- 1.1. principle of legality;
- 1.2. principle of professionalism;
- 1.3. principle of unified commanding chain;
- 1.4. principle of non-discrimination;
- 1.5. principle of transparency and accountability;
- 1.6. principle of meritocracy;
- 1.7. principle of taking care of subordinates;
- 1.8. principle "Esprit de corps".

#### **Article 6 General Criteria of Service**

1. A citizen of the Republic of Kosovo wishing to apply in KSF, must fulfil the conditions defined by this Law and other legislation in force.

2. General requirements which must be met to be accepted as a KSF member are:

- 2.1. to be citizen of the Republic of Kosovo;
- 2.2. to have full ability to act;

- 2.3. to meet the required level of education;
  - 2.4. to have necessary health and physical skills for place of service;
  - 2.5. not to be convicted for criminal offense, with final verdict.
3. The minimum age for recruitment in the Kosovo Security Force is eighteen (18) years.
  4. The senior age to be recruited in the KSF is:
    - 4.1. thirty (30) years for officer, with special specialist qualifications;
    - 4.2. twenty one (21) years for cadet;
    - 4.3. twenty three (23) years for private.
  5. Citizens of the Republic of Kosovo may join the Kosovo Security Force after meeting the general selection requirements and criteria.
  6. Admission is based on healthy and physical condition and according to the KSF needs and priorities, and after successfully completing approved procedures, for cases in which security control verification, respectively purity of the image is required, according to the respective legislation in force and internal sub-legal acts of the Ministry.
  7. Admission to the KSF is confirmed after completion of the basic training, during which time, candidates will be qualified as recruits (OR-1). KSF recruits have the right to withdraw/cancel training without any other obligation, if they do so during the basic training.
  8. Admission in the Kosovo Security Force starts as cadets for category of officers and as recruits for the category of privates.
  9. After the completion of military academy studies, cadets get the lowest officer rank, while recruits after completion of basic training get the rank of private.
  10. Other terms and criteria for admission to the Kosovo Security Force, except as provided for in this Law, are determined by special sub-legal act, issued by the Minister.

#### **Article 7 Oath**

1. On the day of appointment as active and reserve officer and non-commissioned officer of the Kosovo Security Force the member makes an oath.

2. The declaration of the oath is:

*“I do solemnly swear that I will be faithful and bear true allegiance to Republic of Kosovo, I will obey orders of the President of Republic of Kosovo and my superiors in accordance with the law; and that I will carry out my duties with diligence, honour and dignity. I do solemnly swear that I will enforce the Constitution of the Republic of Kosovo, and serve my homeland and people, and for their protection, I will not spare my life. I swear”.*

#### **Article 8 Duration of Service**

1. The duration of service in the KSF is divided into short-term and long-term service, defined in the contract of service, according to the rules and conditions foreseen by special regulation issued by the Minister.

2. The reserve members while in service, is subject to the rules and terms of service as the active member.

#### **Article 9 Career Development**

1. With admission to the Kosovo Security Force, an active member enjoys the right to career promotion and development.

2. The career development of the KSF member shall be determined by special sub-legal act issued by the Minister.

#### **Article 10 Annual Appraisals**

1. All members of the KSF shall be subject to the annual appraisal.

2. The criteria and procedures of the annual appraisal shall be determined by special sub-legal act issued by the Minister.

#### **Article 11 Medals and Gratitude**

1. Meritorious service and act of bravery by KSF members are recognized through medals, commendations, rewards and gratitude.

2. President of the Republic of Kosovo, for KSF members, shall give decorations in accordance with the legislation in force.

3. The Prime Minister of the republic of Kosovo, Minister and Commander of the KSF are authorized to give medals, commendations, rewards and gratitude for KSF members, for both native and foreign natural and legal persons who have distinguished themselves with their merits for the Kosovo Security Force.

4. Pursuant to paragraph 3. of this Article, the Minister shall issue special sub-legal act.

#### **Article 12 Personal Data and File of Personnel**

1. After the admission in Kosovo Security Force, each member is assigned a unique personal number that serves as a base for all personal and career records.

2. Each active and reserve member of the KSF is issued personal identification card. The card must be kept all the time while the member is in service.

3. Ministry and General Headquarters of KSF are in charge for development of a comprehensive system for controlling, maintaining and managing files of KSF personnel, in accordance with respective legislation in force.

4. Detailed rules on personal data and file of personnel shall be determined by special sub-legal act issued by the Minister.

#### **Article 13 Working Hours**

1. The regular working hours in the KSF is similar to that of the public administration.

2. Notwithstanding paragraph 1. of this Article, working hours for KSF may be extended for internal service needs, readiness, trainings and operations.

3. Pursuant to this Article, the working hours in KSF shall be determined by a special sub-legal act issued by the Minister.

#### **Article 14**

#### **Salaries, Salary Allowances and other Compensations**

1. All members of the KSF are entitled to salary, salary allowance and other types of compensation.
2. Salary allowances and other compensations shall be based on hazardous tasks, overtime work, shift work, holiday work or other days that are vacation days, assignment in special duties and for extraordinary performance/achievement.
3. Salaries, salary allowance and other compensations shall be defined and paid in compliance with legislation in force, with special sub-legal act issued by the Government.

#### **Article 15**

#### **Holidays and Commemorative Events**

1. The active member of the KSF shall enjoy the right to all leaves as defined by legislation in force.
2. Definition of types, criteria, duration and procedures for approving and using holidays in KFS are regulated by special sub-legal act issued by the Minister.
3. In compliance with demands for personnel coverage, as defined with duties and responsibilities of KSF, KSF shall mark national or state days and holidays and other commemorative events in line with dates related to its foundation and activities.
4. All holidays defined by this Article may be cancelled, delayed or terminated, to meet unexpected operation needs or those set within a short time of period.

#### **Article 16**

#### **Food, Transport and Accommodation**

1. Active members of the KSF will be entitled to at least one meal during the course of each full duty (defined as any period of continuous duty over six (6) hours in any twelve (12) hours).
2. The Kosovo Security Force may provide regular interurban transport for its active members.
3. During the service, the active member of the KSF shall be entitled to use accommodation either within the service or within a reasonable distance from the place of service, if the KSF does not provide transport for it.
4. Rules for food, accommodation and transport shall be defined with special sub-legal act issued by the Minister.

#### **Article 17**

#### **Health Care**

1. The Kosovo Security Force shall provide medical service for its entire personnel.
2. The Kosovo Security Force shall provide healthcare for close family members of the KSF member, as long as he/she is on a mission abroad.

3. According to paragraphs 1. and 2. of this Article, primary health care should be provided, where feasible, within the KSF own sources. When this is not possible or when the request is outside the scope covered by the Medical Service of the KSF, members should be sent to the national healthcare system.

4. When the national healthcare does not provide the relevant health service, the medical treatment of the KSF member will be made abroad.

5. Organization and functioning of healthcare shall be regulated with special sub-legal act issued by the Minister.

### **Article 18**

#### **Protection measures and Occupational Safety**

1. Protective measures for KSF personnel shall be defined according to the degree of danger during regular service, training and operations.

2. Protective measures and occupational safety shall be defined with special sub-legal act issued by the Minister.

### **Article 19**

#### **Termination of Service**

1. Service in the Kosovo Security Force may be terminated voluntarily and compulsorily.

2. All sorts of service terminations, other than those due to the retirement age, shall be defined with special sub-legal act issued by the Minister.

### **Article 20**

#### **Voluntary Termination of Service**

1. All members of the KSF are entitled to voluntarily end their service after prior notice within ninety (90) working days, except for specific cases, with prior approval by the KSF Commander.

2. Paragraph 1. of this Article does not apply to KSF personnel, who have been part of funded education and training and therefore are obliged to serve for a foreseeable period of time after that training, in order to pay off the KSF investment. This rule applies also for KSF personnel, for exercises/trainings and operations.

### **Article 21**

#### **Involuntary Termination of Service**

1. The service of the KSF member shall be involuntarily terminated under the following circumstances:

1.1. reaches pension age;

1.2. provides false information during the recruitment process;

1.3. fails to meet required service standards;

1.4. fails to keep required physical or medical condition, with the exception of cases resulting as a consequence of the KSF service and there is a possibility of reassignment;

1.5. is convicted for criminal offense with an effective imprisonment of over six (6) months by final decision;

1.6. by decision of the KSF disciplinary board;

1.7. has taken political position or is engaged in any way in political party activities.

### **Article 22** **Gaining the KSF Member's Status**

1. Citizen of the Republic of Kosovo, from first day in service in Kosovo Security Force, gains the status of the KSF member and is entitled to all rights, and fulfils all obligations defined by this Law and by other legal and sub-legal acts.

2. The status of a KSF member enjoys:

2.1. active service members;

2.2. reserve service members;

2.3. cadets.

### **Article 23** **Retention of the status of the Kosovo Security Force Member**

In cases when the KSF member is captured or taken hostage, in the territory of Republic of Kosovo or in the territory of other country, he/she retains the rights and obligations recognized by the status of the KSF member.

### **Article 24** **Losing the status of the Kosovo Security Force Member**

1. The status of KSF member is lost in cases when the member:

1.1. is convicted with imprisonment by the court with final decision for criminal acts carried out intentionally resulting in termination of service;

1.2. unilaterally ends service in KSF without legal reasons;

1.3. deserts.

### **Article 25** **Rights of the Kosovo Security Force Member**

1. KSF member is entitled to fair and equal treatment, appreciated and respected as an individual, supported and rewarded in compliance with rules and terms of service.

2. The rights of KSF members particularly include:

2.1. state protection in carrying out assigned duties;

2.2. possession and use of weapons in accordance with the rules determined by sub-legal act issued by the Minister;

2.3. opportunity for full career development to entirely realize their potential through appointment, promotion and development procedures based on merits and in compliance with procedures defined with legal and sub-legal acts;

2.4. the right to individually file claim or complaint for unlawful action by superiors in cases when their rights are violated and their review by chain of command in fairly manner and without prejudice for current and future career perspectives;

2.5. to be trained, qualify and pursue studies in educational, military or civilian institutions, both inside and abroad, only when granted a permission, according to the applicable legislation;

2.6. according to the needs for KSF representation, KSF members shall be selected to serve as defense attaché in diplomatic representations abroad, liaison officer/ non-commissioned officers in international security and defense organizations and institutions, according to the respective legislation in force and with sub-legal act approved by the Government;

2.7. according to requests and based on bilateral agreements , KSF members will be deployed to serve abroad, for the purpose of exchanging practices.

### **Article 26** **Obligations of a Member of the Kosovo Security Force**

1. KSF member is obliged to:

1.1. recognize, respect and act in accordance with the Constitution of the Republic of Kosovo and applicable legislation;

1.2. perform all duties with honour, impartiality and in accordance with applicable legislation;

1.3. preserve the honour and dignity of a soldier;

1.4. serve wherever the institutional and state interests ask for;

1.5. enforce chain command orders;

1.6. enforce all legitimate orders issued for service purposes even if it poses a risk to his or her life;

1.7. not execute orders that contravene the Law and to inform order's issuer and his superior;

1.8. be prepared and disciplined to perform the duty;

1.9. protect all information, in any form, as well as equipment received or assigned while in duty in accordance with applicable legislation;

1.10. respect working hours;

1.11. carry the uniform and insignia of the KSF in line with respective legislation;

1.12. act always with integrity and not to misuse the official position or official information for his/her personal or other benefit;

1.13. not ask for or accept any material benefit whatsoever, for carrying out duties, except salaries and other benefits defined by Law or other sub-legal acts;



1.14. not to give public statements through medias and other public communication means related to KSF, its members or activities without prior consent from the chain of command;

1.15. avoid any sort of activity that may result in conflict of interest between official and private duties;

1.16. increase professional skills and take part in training activities;

1.17. execute standards of courtesy and integrity preservation.

2. KSF members cannot be engaged in secondary employment, except with prior approval of the competent authority and according to the rules defined by a special sub-legal act issued by the Minister.

3. Violation of the obligations set forth in this Article shall be treated in accordance with the provisions of the KSF Disciplinary Code and the applicable legislation.

#### **Article 27 Redress of Complaints**

1. Every KSF member is entitled to file a complaint for any alleged violation of his/her rights regarding the KSF service.

2. Rules and procedures for submitting and reviewing the complaints shall be defined with special sub-legal act issued by the Minister.

3. Exception to paragraph 2. of this Article, a KSF member may refer to the relevant parliamentary commissioner for the KSF, in accordance to the special Law on the commissioner.

#### **Article 28 Code of Conduct and Disciplinary Code**

Code of conduct and disciplinary code, which define the behaviour standards and disciplinary procedures in the KSF, shall be determined by special sub-legal act issued by the Minister.

#### **Article 29 Right to Pension**

The right to pension for KSF member and his family members, age, types, criteria and terms of pension benefits shall be defined with special Law.

#### **Article 30 Special Legal Protection**

1. Life, personality and dignity of a member and his/her family are inalienable rights and protected by Law.

2. While in service and due to this fact, active and reserve member is guaranteed special legal protection.

3. A KSF member cannot be arrested by the Kosovo Police within the spaces and areas of the KSF.

4. When KSF member is detained and arrested by the Kosovo Police, outside the KSF spaces and areas, then military police will be informed.

5. In cases when, due to the task being carried out or was carried out, the family or property of a member of the KSF is jeopardized by illegal actions, he/she is guaranteed protection and special support from state structures.

6. Any action aimed against life, personality and dignity of a member of the KSF and his/her family, shall be punished according to the legal provisions in force.

### **Article 31 Official Protocol**

1. Commemorative activities, hosting of domestic and foreign personalities are followed by official protocol of the KSF.

2. Rules of official protocol of the KSF are defined by a special sub-legal act issued by the Minister.

### **Article 32 Official Ceremony**

1. Burial ceremony of KSF member and pensioner shall be carried out with official ceremony of the KSF. The funeral expenses of the KSF member are covered by the Ministry.

2. Rules of the official ceremonies of the KSF, shall be defined by a special sub-legal act issued by the Minister.

### **Article 33 Issuance of Sub-legal Acts**

1. Sub-legal acts foreseen by this Law shall be issued within a period of at latest one (1) year from entry into force of this Law.

2. Sub-legal acts in force shall continue to apply, until new sub-legal acts are issued, provided that they are not in conflict with this law.

### **Article 34 Transitional Provisions**

All changes foreseen by this Law will be made in accordance with the phases set out in the strategic review of the security sector and detailed in the comprehensive transition plan.

### **Article 35 Abrogation**

1. By entry into force of this law, the following shall be abrogated:

1.1. Law No. 03/L-082 on Service in Kosovo Security Force (Official Gazette, no. 32/15 June 2008);

1.2. Article 21 (Amendments and Supplements of the Law No. 03/L-082 on Service in Kosovo Security Force) and Law no. 04/L-115 on Amending and Supplementing the Laws related to the Ending of International Supervision of Independence of Kosovo (Official Gazette/ no.25 / 07 2012).

**Article 36**  
**Entry into force**

This Law shall enter in force fifteen (15) days after its publication in the Official Gazette of Republic of Kosovo.

**Law No. 06/L-124**  
**14 December 2018**

**Promulgated by Decree No.DL-068-2018, dated 28.12.2018, President of the Republic of Kosovo Hashim Thaçi.**