

LAW NO. 06/L-122

ON MINISTRY OF DEFENSE

The Assembly of the Republic of Kosovo,

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

Approves:

LAW ON MINISTRY OF DEFENSE

**Article 1
Purpose**

By this Law, the Ministry of the Kosovo Security Force will be reorganized and transferred to the Ministry of Defense within the Government of the Republic of Kosovo for the purpose of administration, monitoring and democratic civilian control over the Kosovo Security Force and is led by the Minister of Defense.

**Article 2
Scope**

This law applies to the Ministry of Defense, including its structure and authorities within the Ministry.

**Article 3
Definitions**

1. For implementation of this Law, expressions and terms used in this Law shall have the following meaning:

- 1.1. **Ministry** – Ministry of Defense;
- 1.2. **KSF**- Kosovo Security Force;
- 1.3. **Constitution** – Constitution of the Republic of Kosovo;
- 1.4. **President**- President of the Republic of Kosovo;
- 1.5. **Government** – Government of the Republic of Kosovo;
- 1.6. **Prime Minister** – Prime Minister of the Republic of Kosovo;
- 1.7. **Minister** – Minister of Defense;
- 1.8. **COMKSF** –Commander of the Kosovo Security Force;
- 1.9. **Placement plan** – plan of location/cantonment of the KFS.

Article 4

Ministry of Defense

1. The Ministry of Defense is a state administration body composed civil servants and military personnel of the KSF. Civil servants employed in the Ministry and KSF, apart from political appointees, are part of the civil service of the Republic of Kosovo and maintain the principle of equivalence in service and salary with military rankings, in accordance with the legislation in force.
2. The Ministry has its own structure, organized in directorates, departments, sectors, units and offices that ensure functionalization and fulfillment of its duties and responsibilities.
3. Ministry designs and implements general state defense policies at the strategic level, and exercises its functions and powers in accordance with the Constitution and applicable legislation.
4. Internal organization and systematization of work positions in the Ministry, shall be defined by a special sub-legal act, taking into account this law and legislation in force.

Article 5

Competencies of the Ministry

1. Ministry is competent to:
 - 1.1. draft the strategic and defense documents;
 - 1.2. draft draftlaws and sub-legal acts from the scope of the Ministry of Defense and KSF;
 - 1.3. develop, coordinate and draft policies for integration and membership in international defense and security structures, in cooperation with relevant institutions of Republic of Kosovo;
 - 1.4. draft policies for development, modernization and standardization of the KSF;
 - 1.5. draft education and training policies for all staff of the Ministry of Defense and KSF;
 - 1.6. draft the cooperation programs with state institutions on defense and security issues;
 - 1.7. draft policies, system, plans and strategies for the management of human resources of military and civil personnel in the Ministry of Defense and KSF;
 - 1.8. planning, programming, budgeting and execution of projects for defense needs;
 - 1.9. cooperate with competent institutions for judicial representation in defense of the interests of the Ministry of Defense and the KSF;
 - 1.10. monitor and manage all intelligence activities and classified information in the field of defense and security;
 - 1.11. develop policies, plans and programs in the field of civil-military cooperation;
 - 1.12. monitor and inspect the KSF;
 - 1.13. manage the infrastructure and equipments that are allocated to the Ministry of Defense and KSF;

- 1.14. develop policies, plans and programs for logistics and infrastructure;
- 1.15. develop policies, plans and programs for the management, maintenance and organization of communication systems;
- 1.16. develop and monitor health policies, plans and programs as well as healthcare for the staff of Ministry of Defense and KSF;
- 1.17. develop policies, plans and programs related to public relations and protocol;
- 1.18. draft policies on human rights, gender equality and community issues, within the Ministry of Defense and KSF;
- 1.19. perform other duties prescribed by law and other sub-legal acts in force.

Article 6 **Minister of Defense**

1. Minister of Defense:

- 1.1. represents the Republic of Kosovo in international level on defense and security matters;
- 1.2. by proposing to COMKSF approves the running of funds for the KSF and obliges the execution of the procedures for spending the defense budget;
- 1.3. proposes the budget to the MoD and KSF and supervises the expenses from the approved budget;
- 1.4. recommends to the Prime Minister, in cooperation with COMKSF the specific programs in the defense area which require financial support;
- 1.5. initiates and proposes all necessary documents of policies, long term- development plans linked to Kosovo Security Force to be revised by the Government and Kosovo Security Council;
- 1.6. proposes to the Prime Minister for approval by the President, appointment, promotion, discharge and dismiss from the duty of the Commander of the Kosovo Security Force;
- 1.7. proposes to the Prime Minister the plan of location of the Kosovo Security Force at peace time;
- 1.8. proposes to the Prime Minister the organizational structure of the Kosovo Security Force;
- 1.9. inspects the KSF, through General Inspector of the KSF.

2. Minister in consultation with the Prime Minister according to the recommendation of the Commander of the Kosovo Security Force, proposes to the President:

- 2.1. appointments, promotions, dismissals and discharge in the rank of General, except the rank of the Lieutenant General;
- 2.2. the Kosovo Security Force ensign, units emblems, rank appearance and the Kosovo Security Force uniforms.

3. Minister in coordination with COMKSF, proposes the appointments and revocation of Military Attaché at Diplomatic Offices of the Republic of Kosovo;
4. Minister exercises also other responsibilities defined by legislation in force.

Article 7
Chief Administrative Officer

1. The Chief Administrative Officer of the MoD is the Secretary General as the highest administrative manager of the Ministry and reports directly to the Minister.
2. The Secretary General, in particular has the following responsibilities and competences:
 - 2.1. manages the civilian and uniformed personnel of the Ministry and the Kosovo Security Force working within the Ministry of Defense;
 - 2.2. manages finances and other ministry resources and KSF resources, and ensures the execution of administrative procedures for managing the budget of the MoD and KSF;
 - 2.3. performs other duties defined by legislation in force.

Article 8
Issuance of sub-legal acts

1. Sub-legal acts foreseen by this law shall be issued within a period of at least one (1) year from the entry into force of this law.
2. The sub-legal acts that are in force shall continue to apply until the issuance of new sub-legal acts, provided that they are not contrary to this law.

Article 9
Transitional provisions

All changes envisaged by this law will be made in accordance with the stages set out in the recommendations of strategic sector security review and detailed in the comprehensive transition plan.

Article 10
Repealing

1. Upon entry into force of this Law, the following shall be abrogated:
 - 1.1. Law no. 03/L-045 for the Ministry of the Kosovo Security Force (Official Gazette, no. 26/ 02 June 2008);
 - 1.2. Law no. 03/L-107 on Amending the Law on the Ministry of the Kosovo Security Force no. 03/L-045 (Official Gazette / no. 42/25 November 2008);

Article 11
Entry into force

This law enters in force fifteen (15) days after publication in Official Gazette of Republic of Kosovo.

Law No. 06/L-122
14 December 2018

Promulgated by Decree No.DL-066-2018, dated 28.12.2018, President of the Republic of Kosovo Hashim Thaçi.