

**LAW No. 04/L-089
ON HUMANITARIAN DEMINING**

Assembly of Republic of Kosovo,

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

Approves

LAW ON HUMANITARIAN DEMINING

**Article 1
Purpose**

This Law shall define humanitarian demining activity, the competent institutions, the conditions and criteria for accreditation of organizations dealing with humanitarian demining.

**Article 2
Scope**

This Law shall regulate activities related to humanitarian demining in the Republic of Kosovo.

**Article 3
Definitions**

1. Terms used in this Law shall have the following meaning:

1.1. **KSF** – Kosovo Security Force;

1.2. **MKSF** – Ministry for the Kosovo Security Force;

1.3. **MAC** – Mine Action Center within the MKSF;

1.4. **EOD** – Explosive Ordnance Disposal;

1.5. **UXO** – Unexploded ordnance;

1.6. **EO** – Explosive Ordnance - All munitions containing explosives, nuclear fission or fusion materials and biological and chemical agents. This includes bombs and warheads; guided and ballistic missiles; artillery, mortar, rocket and small arms ammunition; all mines, torpedoes and depth charges; pyrotechnics; clusters and dispensers; cartridge and propellant actuated devices; electro-explosive devices; clandestine and improvised explosive devices; and all similar or related items or components explosive in nature;

1.7. **IMAS** – International mine action standards;

1.8. **Accreditation** - The procedure by which a demining organization is formally recognized as competent and able to plan, manage and operationally conduct mine action activities safely, effectively and efficiently;

1.9. **Quality Assurance (QA)** – covers the overall process to ensure that areas have been cleared according to IMAS;

1.10. **Humanitarian demining** - activities which lead to the removal of mine and UXO hazards, including technical survey, mapping, clearance, marking, post-clearance documentation, community mine action liaison and the handover of cleared land. Demining may be carried out by different types of organizations, such as NGOs, commercial companies, national mine action teams or military units.

Article 4 Humanitarian Demining Activities

1. Humanitarian demining activities are:

1.1. clearance of mine fields and disposal of UXO;

1.2. disposal of EO; and

1.3. use of explosives for humanitarian demining and EOD operations. This will be regulated with a special regulation issued by the MKSF.

Article 5 Authorized Institutions

Humanitarian demining in the Republic of Kosovo will be conducted by KSF EOD Company, and Accredited organizations by MAC.

Article 6 Operations and competencies of MAC

1. MAC is the coordinating authority and point of contact for all humanitarian demining activities in the Republic of Kosovo.

2. MAC shall have the following competencies:

2.1. to coordinate the use of explosives and explosive accessories for humanitarian demining activities;

2.2. to ensure the adequate supervision and management of all humanitarian demining operations;

2.3. to develop plans and priorities for humanitarian demining activities;

2.4. to maintain a QA capability and conduct QA checks ensuring de-mining UXO disposal is carried out safely and in accordance with IMAS standards;

2.5. to coordinate activities for mine risk education and public information regarding the remaining threats;

2.6. to administration of the Information Management System for mine Action database;

2.7. to certify that the area declared mine-free has been cleared according to the IMAS;

2.8. to draft a Short-term and Mid-term Plan;

2.9. to accredit ate suspend, cancel late and extend the accreditation of the humanitarian demining organizations.

Article 7
Coordination between Institutions

1. If national and international institutions come across information or action about any explosive ordnance, they shall inform MAC.
2. Coordination between the institutions on exchanging the information and the coordination on taking defined actions are regulated by sub-legal act issued by Government.
3. Organizations accredited by MAC shall report regarding their activities in accordance with IMAS.
4. MAC will ensure availability of information regarding dangerous areas from mines and UXO.

Article 8
Mid-Term and Short-term Plan

1. The Mid-Term Plan is a Strategic document to conduct humanitarian demining activities in the Republic of Kosovo for a three-year period.
2. The short-term plan shall be prepared according to the strategic Mid-Term Plan, according to needs, resources, capabilities and priorities that has MAC, including donors' proposals.
3. The short-term and Mid-Term Plan shall be drafted by MAC and approved by the Minister of KSF.

Article 9
Accreditation Terms and Criteria

1. Humanitarian demining activities in the Republic of Kosovo shall be conducted by organizations which are accredited by MAC.
2. The accreditation process includes criteria of accreditation, suspension and cancellation of accreditation shall be regulated by sublegal acts issued by Minister.

Article 10
Transitional provisions

MKSF shall issue sub-legal acts in timeframe of six (6) months by entering into force of this Law.

Article 11
Entry into Force

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

Law No. 04/L-089
15 March 2012

Promulgated by Decree No.DL-011-2012, dated 02.04.2012, President of the Republic of Kosovo
Atifete Jahjaga.