



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

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**Law No.04/L-122**

**ON RATIFICATION OF EXCHANGE OF DIPLOMATIC NOTES ON  
STATUS OF FOERIGN FORCES BETWEEN THE REPUBLIC OF  
KOSOVO AND THE UNITED STATES OF AMERICA**

**Assembly of Republic of Kosovo,**

Based on Article 18 (1) 65 (1) of the Constitution of the Republic of Kosovo,

Approves

**ON RATIFICATION OF EXCHANGE OF DIPLOMATIC NOTES ON  
STATUS OF FOERIGN FORCES BETWEEN THE REPUBLIC OF  
KOSOVO AND THE UNITED STATES OF AMERICA**

**Article 1**

**Purpose**

This law aims to ratify the Exchange of Diplomatic Notes, whereby the agreement on Status of Forces between the Republic of Kosovo and the United States of America is constituted, defining the privileges and immunities of civil and military personnel of Forces.

**Article 2**  
**Scope**

Exchange of Notes between the Government of the Republic of Kosovo and the Government of the United States of America shall be an integral part of the present Law (Annex 1) and shall be implemented by the Republic of Kosovo and the United States of America.

**Article 3**  
**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-122**  
**24 May 2012**

**President of the Assembly of the Republic of Kosovo**

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**Jakup KRASNIQI**

12-0005

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Republic of Kosovo and has the honor to refer to recent discussions between representatives of our two Governments regarding issues related to United States military and civilian personnel (defined as members of the United States Armed Forces and civilian employees of the United States Department of Defense, respectively, hereafter referred to collectively as United States personnel) and United States contractors (defined as non-Republic of Kosovo companies and firms, and their employees who are not nationals of the Republic of Kosovo, under contract to the United States Department of Defense) who may be temporarily present in the Republic of Kosovo in connection with official visits, training, exercises, humanitarian activities, and other activities as mutually agreed.

As a result of these discussions, the Embassy proposes that United States personnel be accorded the status equivalent to that accorded to the administrative and technical staff of the United States Embassy under the Vienna Convention on Diplomatic Relations of April 18, 1961; that United States personnel may enter and exit the Republic of Kosovo with United States identification and with collective movement or individual travel orders; that the Republic of Kosovo shall accept as valid all professional licenses issued by the United States, its political subdivisions or States thereof to United States personnel for the provision of services to authorized personnel; and that the Republic of Kosovo authorities shall accept as valid, without a driving test or fee, driving licenses or permits issued by the appropriate United States authorities to United States personnel for the operation of vehicles. The Embassy further proposes that United States personnel be authorized to wear uniforms while performing official duties and to carry arms while on duty if authorized to do so by their orders.

The Government of the Republic of Kosovo recognizes the particular importance of disciplinary control by United States Armed Forces authorities over United States personnel and, therefore, authorizes the Government of the United States to exercise criminal jurisdiction over United States personnel while in the Republic of Kosovo.

The Embassy further proposes that the United States Department of Defense and United States personnel shall not be liable to pay any tax or similar charge assessed within the Republic of Kosovo and that the United States Department of Defense and United States personnel may import into, export out of, and use in the Republic of Kosovo any personal property, equipment, supplies, materiel, technology, training, or services in connection with activities under this Agreement. Such importation, exportation, and use shall be exempt from any inspection, license,

**DIPLOMATIC NOTE**

other restrictions, customs duties, taxes, or any other charges assessed within the Republic of Kosovo. The Governments of the United States of America and the Republic of Kosovo shall cooperate to take such measures as may be necessary to ensure the security and protection of United States personnel, property, equipment, records, and official information in the Republic of Kosovo.

The Embassy proposes that vehicles operated by or, at the time, exclusively for the United States Department of Defense may enter, exit, and move freely within the territory of the Republic of Kosovo, and that such vehicles (whether self-propelled or towed) shall not be subject to the payment of overland transit tolls. Aircraft owned and operated by or, at the time, exclusively for the United States Department of Defense shall not be subject to payment of navigation, overflight, terminal, landing, parking or similar charges when in the territory of the Republic of Kosovo. The United States Department of Defense shall pay reasonable charges for services requested and received at rates no less favorable than those paid by the security forces of the Republic of Kosovo. Aircraft of the United States Government shall be free from boarding and inspection.

The Embassy also proposes that the United States Department of Defense may contract for any materiel, supplies, equipment, and services (including construction) to be furnished or undertaken in the Republic of Kosovo without restriction as to choice of contractor, supplier, or person who provides such materiel, supplies, equipment or services. Such contracts shall be solicited, awarded and administered in accordance with the laws and regulations of the Government of the United States of America. Acquisition of articles and services in the Republic of Kosovo by or on behalf of the United States Department of Defense in connection with activities under this Agreement shall not be subject to any taxes or similar charges in the Republic of Kosovo.

The Embassy further proposes that United States contractors shall not be liable to pay any tax or similar charge assessed within the Republic of Kosovo in connection with activities under this Agreement and that such contractors may import into, export out of, and use in the Republic of Kosovo any personal property, equipment, supplies, materiel, technology, training, or services in fulfillment of contracts with the United States Department of Defense in connection with activities under this Agreement. Such importation, exportation, and use shall be exempt from any license, other restrictions, customs duties, taxes, or any other charges assessed within the Republic of Kosovo.

The Embassy proposes that United States contractors shall be granted the same treatment as United States personnel with respect to professional and drivers' licenses.

The Embassy proposes that United States personnel shall have freedom of movement and access to and use of mutually agreed transportation, storage, training, and other facilities required in connection with activities under this Agreement.

The Government of the Republic of Kosovo recognizes that it may be necessary for the United States Armed Forces to use the radio spectrum. The United States Department of Defense shall be allowed to operate its own telecommunication systems (as telecommunication is defined in

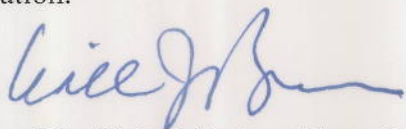
the 1992 Constitution of the International Telecommunication Union). This shall include the right to utilize such means and services as required to ensure full ability to operate telecommunication systems, and the right to use all necessary radio spectrum for this purpose. Use of the radio spectrum shall be free of cost to the United States Government.

Further, the Embassy proposes that the Parties waive any and all claims (other than contractual claims) against each other for damage to, loss, or destruction of the other's property or injury or death to personnel of either Party's armed forces or their civilian personnel arising out of the performance of their official duties in connection with activities under this Agreement. Claims by third parties for damages or loss caused by United States personnel shall be resolved by the United States Government in accordance with United States laws and regulations.

Finally, the Embassy proposes further that our two governments, or their designated representatives, may enter into implementing arrangements to carry out the provisions of this Agreement.

If the foregoing is acceptable to the Government of the Republic of Kosovo, the Embassy proposes that this note, together with the Ministry's reply to that effect, shall constitute an agreement between the two Governments, which shall enter into force on the date of the written notification through the diplomatic channels from the Government of the Republic of Kosovo informing the Government of the United States of America of completion of its internal legal procedures necessary for the entry into force of this Agreement.

The Embassy of the United States of America avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Republic of Kosovo the assurances of its highest consideration.



Embassy of the United States of America,

Pristina, February 18 2012

