



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

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**Law Nr. 03/L-035**

**ON POLICE**

The Assembly of Republic of Kosova,

Pursuant to Article 65 (1) of the Constitution of Republic of Kosova and for the purpose of setting legal rules for Kosova Republic Police,

Hereby adopts

**LAW ON POLICE**

**CHAPTER I**  
**GENERAL PROVISIONS**

**Article 1**  
**Object**

The purpose of this Law is to establish the Kosova Republic Police, describe its powers and duties and the powers and duties of its Police Officers, define its organizational structure, and clarify other matters regarding the activities and operations of the Kosova Republic Police.

**Article 2**  
**Guiding Principles**

2.1 The actions of the Kosova Republic Police shall be guided by the following principles:

- a) fair and equal treatment of all persons;
- b) respect for human rights and fundamental freedoms;
- c) neutrality and impartiality regarding persons' political views and affiliations;
- d) integrity, honesty and accountability in public service;
- e) transparency—providing information to the public and being open to public scrutiny;
- f) legitimacy, Suitability and Proportionality; and
- g) commitment to merit-based, non-discriminatory hiring, promotion and assignment, which is inclusive, reflecting the multi-ethnic character of Kosova and recognizing the principles of gender equality and human rights incorporated into the Constitution.

2.2 Police Officers shall exercise their powers and perform their duties in a lawful manner, guided by the Constitution, other applicable law, and a Code of Ethics compiled by the Kosova Republic Police and approved by the Ministry of Internal Affairs.

2.3 The Code of Ethics shall correspond with the above mentioned principles and with the European Police Code of Ethics.

### **Article 3 Definitions**

Definitions used in this Law have the following meaning:

- “**Appeals Board**”- means the Police Appeals Board;
- “**Assistant General Director**”- means any Assistant General Director of the Kosova Republic Police;
- “**Civilian Staff**”- means staff members who are employed to perform administrative and support services, but who do not have authority to assert police powers;
- “**Deputy General Director**”- means the Deputy General Director of the Kosova Republic Police;
- “**Discipline Committee**”- means the Senior Police Appointments and Discipline Committee;
- “**General Director**”- means the General Director of the Kosova Republic Police;
- “**Inspectorate**”- means the Police Inspectorate of Republic of Kosova, established by the Law on the Police Inspectorate;
- “**Judicial Police**”- means a Police Officer who, in addition to other police duties, is authorized to perform investigations and similar duties under the supervision of the Public Prosecutor;
- “**Legitimate Police Objective**”- means an objective that the Police can lawfully pursue in the performance of their functions and which is consistent with international human rights standards and with the applicable law;
- “**Minister**”- means the Minister of the Ministry of Internal Affairs;
- “**Ministry**”- means the Ministry of Internal Affairs;
- “**Police**”- and “**Kosova Republic Police**” means the Kosova Republic Police established by this law;
- “**Police Officer**”- means a sworn officer of the Kosova Republic Police who has been given authority to exercise Police Powers in the performance of his or her duty;
- “**Police Powers**”- means the power of a Police Officer to impose reasonable control over people and property within his or her jurisdiction to protect the public order and safety;
- “**Regional Director**”- means any Regional Director of the Kosova Republic Police including Regional Director of Border Police;
- “**Safety Council**”- means a Municipal Community Safety Council established in each Kosova municipality; and
- “**Safety Committee**”- means a Local Public Safety Committee established by the General Director in a local community within a Kosova municipality.

### **Article 4 The Establishment of the Police**

4.1 The Kosova Republic Police is hereby established as a public service within the framework of the Ministry of Internal Affairs.

4.2 The Police are a legal person.

4.3 The Police shall operate through a unified chain of command throughout Republic of Kosova.

4.4 The Police have its own uniform, flag and symbol, which shall be established by the Minister, subject to the approval of the Government.

## **Article 5**

### **Relationship between the Police and the Ministry**

5.1 The Police shall function under the authority of the Minister of Internal Affairs and under the control and supervision of the General Director of the Police. The Minister's authority does not include operational management of the Police. The General Director shall report to, and shall be directly accountable to the Minister for administration and management of the Police. The General Director cooperates with the Minister and provides information and reports as may be reasonably requested by the Minister.

5.2 In the field of public order and safety, the Minister shall perform the following functions:

- a) develop policies and facilitate preparation and implementation of legislation;
- b) oversee coordination between the Police and other public authorities with respect to border crossing control;
- c) oversee coordination between the Police and other agencies and international organizations with responsibilities in the field of public order and safety;
- d) develop and implement strategies on public relations and relations with other public bodies with responsibilities in the field of public order and safety;
- e) perform certain disciplinary functions with respect to Police Officers, as further defined in this law;
- f) collect, maintain and analyze statistical data and information; and
- g) perform functions related to emergency preparedness, as further defined in this law.

## **Article 6**

### **Relationship between the Police and Public Prosecutors and Judges**

6.1 The Police shall execute orders and instructions lawfully issued by a competent public prosecutor or judge.

6.2 The Police shall report to the competent public prosecutor's office information related to alleged criminal activity of which the Police become aware, in accordance to the applicable law.

## **Article 7**

### **Cooperation with Local Communities**

7.1 The Police shall communicate and cooperate with local governmental authorities, civic organizations, and local communities for the purpose of preventing and combating crime and enhancing the safety and security of all communities in Republic of Kosova.

7.2 The Police shall cooperate with community; the Station Commander and other police representatives shall participate on, the Municipal Community Safety Council established in each municipality.

7.3 The Safety Council is an advisory body chaired by the municipal president, with membership representing all communities within the municipality.

7.4 The purpose of the Safety Council is to develop awareness of the nature of crime, disorder and violent behavior in the local community, to identify the local concerns regarding public safety and security, and to recommend action plans to address those concerns locally through the cooperative efforts of municipal authorities, local communities and the Police.

7.5 The General Director has power to establish a Local Public Safety Committee as an advisory body within any specific area within any municipality when it is in the best interests of effective community policing to do so.

## **Article 8**

### **Cooperation with Institutions of Central and Local Government**

8.1 The Police shall cooperate with other institutions of the central government of Republic of Kosovo that have responsibilities in the field of public security. Such cooperation may be regulated with special legal acts of the Government and memoranda of understanding approved by the Minister.

8.2 Upon request of central or local governmental institutions, the Police are authorized to provide assistance to them in the performance of their public duties when there is reasonable justification to believe that the safety of the person or persons performing the public duties is at risk because of possible resistance to their actions.

## **Article 9**

### **International Cooperation**

9.1 During the performance of its duties, the Police shall cooperate with international police organizations and other foreign institutions, in accordance with applicable law or with international agreements to which the state of Kosovo is a signatory.

9.2 The Police may deploy Police Officers for an interim service period to another international police organization for the purpose of performing police duties abroad, in accordance with the applicable law or by international agreements to which the state of Kosovo is a signatory.

## **CHAPTER II**

### **POLICE DUTIES AND POWERS**

## **Article 10**

### **General Duties and Powers of the Police**

10.1 The Police shall have the following general duties:

- a) to protect the life, safety and property of all individuals;
- b) to protect the human rights and fundamental freedoms of all citizens;
- c) to prevent dangers to the public and maintain the public order and safety;
- d) to detect and prevent criminal acts;
- e) to investigate criminal acts;
- f) to provide surveillance and control for traffic safety;
- g) to provide surveillance and control of the border;
- h) to provide assistance during natural disasters and other emergencies; and
- i) to perform other duties as assigned by applicable law.

10.2 Any Police Officer possesses attributes of Judicial Police, in compliance with the Criminal Code Procedure and other laws.

## **Article 11 Powers of the Police**

11.1 When performing police duties, a Police Officer has power to impose reasonable control over people and property within his or her jurisdiction and power to issue and enforce lawful orders and instructions to members of the general public to achieve legitimate police objectives.

11.2 The powers enumerated in this law describe the general powers and limitations of a Police Officer when performing duties related to prevention of danger and maintenance of public order and safety. The powers and limitations of a Police Officer when performing duties related to criminal investigation generally are described by other laws including, but not limited to, the Criminal Procedure Code of Republic of Kosova.

11.3 In fulfilling their police duties, Police Officers that function as border police have power to patrol the border, control transborder traffic, examine border crossing documents, enter onto private property along the border, except that they may not enter into private residences, and enter into railway stations, airports, trains and airplanes. The Police may ask to meet a property owner or require a property owner along the border to have a boundary path and to have gates in fences to provide access to the property for Police Officers on patrol.

11.4 The Police have power and a duty to take necessary measures to protect persons who may be subject to threats or acts of discrimination, hostility or violence on account of their national, ethnic, cultural, linguistic or religious identity.

11.5 The Police shall provide security and protection to religious and cultural heritage sites throughout Republic of Kosova.

## **Article 12 Suitability and Proportionality**

12.1 A Police Officer shall apply the principles of suitability and proportionality as a limitation on the exercise of Police Powers.

12.2 When preventive measures must be taken that will restrict a person's freedom, a Police Officer shall use discretion, taking into account the degree of danger and the seriousness of any criminal conduct in the situation, to determine the degree to which a person's freedom will be restricted.

12.3 Police Powers shall be exercised only when necessary and only to the extent required to achieve legitimate police objectives with the least harmful consequences in the shortest possible time.

### **Article 13**

#### **Police Officer's Duty to Obey Lawful Orders and Refuse Unlawful Orders**

13.1 A Police Officer shall have a duty to exercise Police Powers in accordance with orders properly issued by his or her superior.

13.2 A Police Officer shall have a duty to refuse such orders when they are clearly unlawful and to report such orders, without fear of sanction.

13.3 A Police Officer shall not inflict, instigate, support or tolerate any act of torture or inhuman or degrading treatment or punishment under any circumstances, and no exceptional circumstance or order can justify any such action.

### **Article 14**

#### **Police Officer's Duty to Introduction**

14.1 Prior to exercising Police Powers, a Police Officer shall inform persons present of his or her status as a Police Officer, and, if not in uniform, shall present his or her police identification card or badge as proof.

14.2 A Police Officer may delay identifying himself or herself when to do so would endanger persons, property, or the achievement of a legitimate police objective.

### **Article 15**

#### **Receiving Information on Criminal Acts and Other Violations of Law**

15.1 A Police Officer has a duty to receive data offered by persons about the commission of any criminal act or of any violation of the law that is relevant to the work and the competences of the Police.

15.2 A Police Officer shall notify the person who made the report and the injured party, if any, if the Police determine that the reported act does not constitute a criminal offense or if it is a criminal offense which is subject only to private prosecution.

15.3 Information on criminal acts and other violations of the law shall be transmitted to the office of the competent Public Prosecutor within twenty-four (24) hours of receipt.

### **Article 16**

## **Identification of Persons and Items**

16.1 A Police Officer has power to establish a person's identity only when there is a grounded suspicion that:

- a) the person committed, is committing, or will commit a criminal act;
- b) the person poses a danger to persons or property or is causing a disturbance;
- c) the person is in a prohibited location in violation of applicable law;
- d) the person is at the scene of a criminal act, in a restricted area, or at the border;
- e) the person shall be arrested or detained; or
- f) authorized to do so by any applicable law.

16.2 In accordance with the provisions of paragraph 1 of this Article, a Police Officer has power to stop a person, inquire about the person's identity, and demand some form of identification document with a photo. The Police Officer shall indicate to the person the reason for establishing his or her identity. When a person is uncooperative and other measures fail to establish identity, the Police Officer may take the person into custody, following procedures set forth in applicable law, in order to establish the person's identity.

16.3 Such custody shall last only for the time strictly necessary to complete the identification, and in no event shall it exceed six hours. The Police Officer shall write a report on the identification procedure, and shall give a copy of the report to the person taken into custody.

16.4 A Police Officer has power to establish or verify the identity of an item. This power may be exercised when it is necessary to determine the item's value, characteristics or ownership or to establish a link between the item and a particular person, event or action. The Police may publish a photograph, sketch, recording, or description of an item, if there is reasonable belief that it will aid in the establishment of the identity of the item.

## **Article 17 Inquiry and Summons**

17.1 A Police Officer has power to make inquiries to a person for information if there is reasonable justification to believe that the person possesses information necessary for the achievement of a legitimate police objective. Response to such inquiries is voluntary on the part of the person receiving the inquiry.

17.2 A Police Officer has power to verbally summon a person for a police interview if there is reasonable justification to believe that the person possesses information necessary for the achievement of a legitimate police objective.

17.3 The Police Officer must communicate the reason for the summons and, if the person consents, the Police Officer may escort the person to the police station. In matters of urgency, when a delay would pose a danger or if many people are being summoned, a summons can be issued by means of public media. Response to such summons is voluntary on the part of the person summoned.

17.4 A Police Officer has power to issue a written police summons to a person for a police interview if there is reasonable justification to believe that the person possesses information necessary for the achievement of a legitimate police objective. The summons shall include the title, the place and address of the Police organization requesting the person's presence, the reason for the summons, and the place and time the person is summoned to appear.

17.5 A police interview of a minor in response to a summons shall be conducted only after a parent or guardian has signed the summons to give permission and only in the presence of a parent or guardian. Response to a written police summons is voluntary on the part of the person summoned.

17.6 If a person responds to a police summons and appears for a police interview, but does not give any information on the subject of the interview, then that person shall not be summoned again for a police interview on the same subject matter, except pursuant to a request from a public prosecutor or a judge in accordance with applicable law.

17.7 A Police Officer shall issue a summons to appear for a police interview only during daily working hours, except when any delay in issuing the summons would endanger persons, property, or the achievement of a legitimate police objective.

17.8 Only when there is a court order and only in accordance with the applicable law, a Police Officer may use force to take a summoned person into custody and bring the person to the police station or any other location. If force is used in such cases, the person summoned shall be informed, in a language he or she understands, of the rights to remain silent, to consult a lawyer, and to contact a family member or other trusted person, as provided in the Code of Criminal Procedure.

## **Article 18 Temporary Restriction of Movement**

18.1 A Police Officer has the power to temporarily restrict a person's freedom of movement within a specific area, or to redirect a person's movements away from a specific area, in order to secure the specific area for a legitimate police objective or to protect persons from a temporary danger.

18.2 Legitimate police objectives include, but are not limited to, protecting persons from disasters, epidemics, and other cases of imminent danger of harm.

18.3 The temporary restriction of a person's freedom of movement shall conclude immediately when the legitimate police objective of the temporary restriction has been achieved.

## **Article 19 Warnings and Orders**

19.1 A Police Officer has power to issue verbal, written, visual or other warnings to any person who is posing a danger to personal or public safety, posing a danger to public or private property, disturbing the public law and order, posing a danger to traffic safety, or is reasonably suspected to be committing or preparing to commit a criminal act or to be forcing another person to commit a criminal act.

19.2 A Police Officer also has power to issue orders to such persons either to stop their actions or to take such other actions as the Police Officer may reasonably require.

19.3 Warnings and orders may be issued in order to achieve any legitimate police objective including, but not limited to the terms of Article 11 of this law

**Article 20**  
**Temporary Police Custody**

20.1 A Police Officer has power to take a person into temporary custody when necessary to:

- a) protect the person from harm or danger, especially when the person is in a helpless condition; or
- b) to identify the person or to restrict the movement of the person as authorized by law, when the person is uncooperative with lesser measures.

20.2 Temporary police custody shall continue only as long as necessary for the achievement of the legitimate police objective, but in no event longer than six (6) hours, excluding circumstances when the person is still in a helpless condition, but no longer than additional six (6) hours.

20.3 A person in temporary police custody pursuant to this Article shall not be held together with prisoners or persons arrested and detained, or shall not be held together with persons of opposite gender, minors, unless if he/she is a minor.

20.4 The person taken into temporary custody shall be informed of the reason for custody, and shall be given an opportunity to notify a family member, any institution, or other trusted person.

20.5 If the person taken into custody is incapacitated, the Police Officer shall attempt to notify a family member or other trusted person, unless such notification would be against the interests of the person in custody.

**Article 21**  
**Temporary Seizure of Items**

21.1 A Police Officer has power to temporarily seize an item in order to prevent an imminent danger to persons or property, to protect the owner or lawful possessor from loss or damage of the item, or, in accordance with applicable law, to maintain the item in safekeeping for a person taken into police custody. If known, the owner or lawful possessor of the item shall be informed of the purpose of the temporary seizure, and shall be given a receipt for the item.

21.2 The item shall be held by the Police only as long as necessary for the achievement of the legitimate police objective for which it was seized and, in any event, for not more than ten days, and thereafter shall be returned to the owner or lawful possessor as soon as possible.

21.3 The limitations set forth in the Criminal Procedure Code of Republic of Kosova shall apply to temporary seizures in accordance with this Article.

**Article 22**  
**Preventive Search**

22.1 A Police Officer is authorized to perform a search by his or her own initiative in order to prevent immediate risk against public order, life and property, preventive search of persons,

objects, premises and certain spaces, when there is a grounded suspicion that committed activities may endanger life or property;.

22.2 The preventive search, within the meaning of this article, is implemented in order to remove weapons, or other items that may represent inevitable risk for life or property, or to prevent activities that may represent an inevitable risk for life or property. The search may include the use of technical or other equipments to discover explosive, chemical, biological or radioactive materials.

22.3 After the search, the Police Officer shall compile a report and within 48 hours to forward it to the Public Prosecutor, competent to the searched area. A copy of the report should be delivered to the owner, property possessor or search person. The persons searched by Police have right to make an appeal to the court, of jurisdiction where Police organization is situated, if they feel that they have been searched unfairly by Police and in contradiction to the law.

22.4 The limitations within the Article 245 of Provisional Crime Code Procedure of Republic of Kosovo shall be implemented accordingly for provisional search, in compliance with this article.

### **Article 23**

#### **Security and Inspection of the Scene of a Crime or Accident**

23.1 A Police Officer has the power to secure and inspect the scene of a criminal act or accident awaiting the arrival of a competent authority in order to find and secure evidence, find the perpetrator, and gather information about the criminal act or accident.

23.2 In order to protect the victims of a criminal act or an accident, a Police Officer has power to prohibit the video or audio recording, within the perimeter of security, of the scene of a criminal act or accident.

### **Article 24**

#### **Preventive Surveillance of a Public Place**

24.1 The Police have power to set-up preventive surveillance of a public place, using video and audio recording equipment and photographic equipment to survey public places where criminal acts have been committed often in the past, or where there is reasonable justification to believe that public surveillance will reduce the risk of criminal acts and improve public safety in the future.

24.2 The Police have power to use video and audio recording and photography to observe and collect information at a public gathering when there is reasonable justification to believe that the public gathering will endanger persons or property.

24.3 Before undertaking preventive surveillance pursuant to this Article, the Police shall inform the public of its intent and its reasons for doing so, unless this might compromise the purpose and the outcome of the surveillance.

24.4 Video and audio recordings resulting from preventive surveillance shall be retained no longer than fifteen (15) days after the date of recording except when it is determined after inspection that the recordings contain evidence of criminal activities. Such recordings may be retained longer only in specific cases, as provided by applicable law.

## **Article 25**

### **Use of Force**

25.1 A Police Officer has the power to exercise the use of force only when strictly necessary and only to the extent required to achieve a legitimate police objective.

25.2 A Police Officer may use force to protect a person's life, to prevent an attack, to prevent a criminal act, to prevent the flight of a perpetrator, or, when other measures are not successful, to achieve another legitimate police objective.

25.3 The Police Officer shall use his or her discretion to determine the type of force suitable and the limits on the use of force. The Police Officer shall take into account the specific circumstances, the nature of the criminal act, the degree of danger to other persons who are present, and the physical, mental and emotional condition of the person against whom the force is to be used.

25.4 When using force, the Police Officer shall attempt to minimize the intrusion into a person's rights and freedoms and to minimize any detrimental consequences.

25.5 Use of force, as the term is used in this law, includes, but is not limited to the use of: physical force, a baton, pepper spray, handcuffing, means for stopping a motor vehicle, a police dog, chemical repellents for temporal disability, a police horse, firearms, water cannons, special vehicles and special types of weapons and explosive devices.

## **Article 26**

### **Use of Firearms**

26.1 A Police Officer is authorized to possess and carry an official firearm issued by the Police. A Police Officer is authorized to use a firearm only when strictly necessary, only if other means of force remain ineffective or without any promise of achieving the intended legitimate police objective, and only when its use is proportional to the degree of danger, to the seriousness of the offence and to the legitimate police objective to be achieved in the situation. A Police Officer shall not use a firearm if, in the circumstances, there is a high risk of endangering the lives of innocent bystanders.

26.2 A Police Officer is authorized to use a firearm against a person only when less extreme means are insufficient to:

- a) defend the Police Officer's own life or the life of another person from an imminent attack;
- b) prevent the imminent commission or continuation of a criminal offense involving grave threat to life;
- c) arrest a person presenting an imminent threat to the life of other persons and who is resisting orders lawfully issued by the Police Officer; and
- d) prevent the escape of a person presenting an imminent threat to the life of other persons and who is resisting orders lawfully issued by the Police Officer.

26.3 Before using a firearm, a Police Officer shall issue a verbal warning, identifying himself or herself as a Police Officer, ordering the person to stop, and warning that he or she will shoot if the person does not stop.

26.4 As an exceptional measure in exigent circumstances, a Police Officer may withhold the warning if issuing it would place the Police Officer or other persons in imminent danger of serious harm.

26.5 A Police Officer is authorized to use a firearm against an animal when it poses a danger to the health or safety of any person, either because of the risk of attack or the risk of contagious disease. A Police Officer is also authorized to use a firearm against animals that are seriously ill or injured when a veterinarian or other person is not available to take necessary measures.

### **Article 27** **Use of a Bystander's Property in Urgent Circumstances**

27.1 A Police Officer has power to temporarily take or use any property, including, but not limited to, means of transportation or communication or protection, in the possession of a bystander, but only when it is necessary to prevent imminent danger to persons or property or to achieve another urgent police objective that requires immediate action.

27.2 Property taken must be returned to the person from whom it was taken as soon as it is no longer needed to achieve the urgent police objective for which it was taken and, in any event, no later than 24 hours after it was taken. The Police shall reimburse the owner or possessor for any expenses or damages incurred while using the property.

### **Article 28** **Confidential Sources of Information**

28.1 A Police Officer shall receive and evaluate all information received from anonymous individuals that is relevant to performing police duties and achieving legitimate police objectives.

28.2 A Police Officer may establish confidential, cooperative relationships with persons in order to receive information that is relevant to performing police duties and achieving legitimate police objectives.

28.3 A Police Officer shall protect the confidentiality of such cooperative relationships and the information received until the legal obligation to maintain confidentiality is fulfilled. A Police Officer shall keep secret the identity and other circumstances of a confidential source except pursuant to a lawful demand for disclosure from a competent public prosecutor or judge.

### **Article 29** **Public Announcement of Reward**

29.1 The Police have power to offer rewards for information relevant to performing police duties and achieving legitimate police objectives. Such offers of reward shall be announced publicly by way of publication in newspapers, radio, television, or other appropriate media or means.

29.2 Such a reward may be paid only if the information received was not already in the possession of the Police and only if receipt of the information leads to the achievement of the legitimate police objective for which the information was sought.

### **Article 30**

#### **Collection, Retention, Processing, Analysis, Use and Removal of Data**

30.1 The Police have power to collect and retain personal data, crime data and other data. Personal data are data relating to an identified or identifiable natural person including, but not limited to, name, birth date, birth place, and places of residence. Crime data are data relating to specific criminal acts including, but not limited to, the type of criminal act, the time and location of its commission, the methods and means used in its commission, any injuries to persons or damage to property resulting from the criminal act, and the motive for the criminal act.

30.2 The Police shall collect, retain and use personal data strictly in accordance with applicable laws, relevant international instruments, and international human rights standards in order to protect individuals from any violation of their lawful right to confidentiality or lawful expectation of privacy.

30.3 The Police shall collect and retain personal data and crime data only for analysis and use in protecting public order and safety, in the detection and prevention of criminal acts, in identifying, locating and catching the perpetrators of criminal acts, and in achieving other legitimate police objectives.

30.4 The Police shall retain personal data only to the extent that there is reasonable justification to believe that the retention of the information will aid in achieving legitimate police objectives. Reasonable limits on the types of information retained, the length of time personal data may be retained in Police records, and other matters related to the collection, retention and use of data shall be established by subsidiary legal acts issued in accordance to the applicable law or international standards.

30.5 The Police shall not collect and retain information and personal data about persons for the purpose of maintaining records regarding political, religious or philosophical beliefs or affiliations.

30.6 A Police Officer shall have the duty to maintain the confidentiality of all personal data and crime data that he or she obtains in the performance of police duties except when release of data is authorized by law and necessary to achieve a legitimate police objective.

30.7 The Police shall provide competent supervision of the information systems where Police records are retained for the purpose of protecting the personal data in conformity with the applicable laws governing the protection of personal data.

30.8 Numerical data regarding criminal acts, perpetrators, victims or other crime-related or public safety-related categories may be used for statistical and analytical purposes by the Police or the Ministry. Such data may also be made available for use by competent professional or academic authorities in research.

30.9 Personal data may be submitted to foreign or international police organizations when authorized by the General Director, based on applicable law.

30.10 The Police shall provide, at the request of any person, any personal data retained by the Police regarding the person making the request, except when providing the data could harm a pending investigation or when the interests for confidentiality of another person or the public outweigh the interests for disclosure of the person making the request. Upon discovery that personal data retained in its records is incorrect, the Police shall either correct or remove the personal data.

## **CHAPTER III ORGANIZATION OF THE KOSOVA REPUBLIC POLICE**

### **Article 31 Organization of the Kosova Republic Police**

31.1 Police shall be organized in central and local levels. The General Police Directorate shall be the central headquarters responsible for all of Kosova. The local level shall include the Regional Police Directorates, responsible for regions comprising specified municipalities, Police Stations, which shall be responsible for local policing within each municipality, and police substations, if any, responsible for local policing within specific areas of a municipality.

31.2 The territorial jurisdiction of each Regional Directorate shall be established by the General Director. The territorial jurisdiction of each Police Station shall be coterminous with the municipality in which it is located. The territorial jurisdiction of any Police substation shall be established by the General Director. There shall also be Border Police Stations under the central jurisdiction of the General Police Directorate.

31.3 The internal organizational structure of the Kosova Republic Police shall be established by the General Director, subject to approval by the Minister. The General Director may also establish, subject to the approval of the Minister, police units to perform specific, temporary duties.

### **Article 32 The General Police Directorate**

32.1 The General Police Directorate shall be under the direction, control and supervision of the General Director.

32.2 The General Police Directorate's functions shall include the following:

- a) to support the General Director in the performance of his or her duties;
- b) to supervise the performance of the Regional Police Directorates;
- c) to manage, observe, analyze and evaluate the overall security situation;
- d) to lead police operations in extraordinary or exigent circumstances;
- e) to coordinate development and implementation of strategies for prevention and reduction of crime, for restoration and maintenance of public order and safety, and for securing and controlling the border;
- f) to coordinate administrative functions of the Police, including, but not limited to, maintenance of police data and telecommunications systems, recruitment, training and education of police

personnel, management of budget and financial matters, and procurement and management of police assets and facilities;

g) to cooperate with international organizations and to coordinate implementation of international agreements related to police activities; and

h) to perform other functions as assigned by law, or by lawful rule, instruction or order.

32.3 The General Police Directorate of the Kosova Republic Police shall be located in Prishtina

### **Article 33**

#### **The Regional Police Directorates**

33.1 In order to manage police operations effectively, Kosova Republic Police shall be divided into regions which, wherever possible, shall be coterminous with the boundaries of judicial districts.

33.2 The Regional Directorates' territorial jurisdictions shall be established by the General Director. In establishing the territorial jurisdictions of the Regional Directorates, consideration shall be given to factors such as, but not limited to, the size of the region, the number of inhabitants, the level of crime, geographical position, and significant buildings, roads and other infrastructure.

33.3 Each Regional Police Directorate shall be headed by a Regional Director of the Police. Each Regional Directorate's functions shall include, but not be limited to, the following:

a) to perform functions and duties assigned by law or by lawful rule, instruction or order of the General Police Directorate;

b) to support and supervise police performance within the region it serves; and

c) to coordinate various duties that may be assigned by the General Directorate, such as professional education and training for Police Officers and staff or administrative duties related to finances, facilities and equipment.

### **Article 34**

#### **The Local Police Stations**

34.1 Police Stations shall be established in every municipality, and the territorial jurisdiction of the Police Station shall be coterminous with the municipal boundaries, as determined by law.

34.2 Police Stations shall perform police duties within their municipal jurisdictions. Each Police Station shall be headed by a Station Commander.

34.3 The Regional Director may establish, subject to the approval of the General Director, police substations, departments and sub-departments within any Police Station.

34.4 The ethnic composition of the Police Officers assigned within a municipality shall, to the extent possible, reflect the ethnic composition of the population within the municipality.

34.5 Before any operations conducted by central or special police forces within the territorial jurisdiction of a Police Station, the Station Commander shall be informed by the General Director, the Regional Police Director, or other Police official conducting the special operations, unless

operational considerations require otherwise. Operations shall conform with Kosova Republic Police inter-ethnic standard operating procedures.

### **Article 35** **Border Police Stations**

In addition to Police Stations located within each municipality, there shall be Border Police Stations established under the authority and jurisdiction of the Regional Border Police Directorate for the purpose of managing and controlling the border in accordance with this Law, the Law on State Border Control, and with other applicable law on borders.

### **Article 36** **Establishment of Police Reserves**

36.1 The General Director may establish, subject to the approval of the Minister, police reserves to assist the Police with special security operations. The police reserves shall consist of volunteers who have signed a contract with the Police to be a member of the reserves and are qualified and trained to perform police duties.

36.2 Members of the police reserves may be used by the General Director, subject to the approval of the Minister, in combination with regular Police Officers in extraordinary or exigent circumstances such as a significant public emergency, an emergency response to terrorist attack, a major public disturbance or disorder, or an emergency response to danger caused by natural disasters.

## **CHAPTER IV** **SENIOR MANAGEMENT OF THE POLICE**

### **Article 37** **General Director of the Police**

37.1 The Senior Police Appointments and Discipline Commission gives a proposal to the Minister, who shall recommend to Prime Minister eligible candidates for appointments to the position of the General Director of the Police. The General Director of Police shall be appointed by the Prime Minister, based on proposals submitted by the Minister.

37.2 The General Director shall be appointed to an initial term of three years, and may be reappointed at the end of the initial term for a term of five (5) years without competitive procedures. A person may serve as General Director for a total of no more than eight years.

37.3 Qualifications for candidates for the position of General Director shall include, but not be limited to, at least five (5) years of experience in policing with steadily increasing responsibility, at least 3 years of service in police management, a degree from an accredited university, and graduation from Kosova's police training facility or completion of an equivalent training program at another institution. The candidate must be able to meet all of the minimum qualifications for a Police Officer. Candidates shall be subject to a background investigation, and shall not have been found guilty of a criminal offence.

37.4 The General Director is the chief executive officer of the Police, and shall be responsible to direct, control and supervise the Police, to make budget recommendations to the Minister on behalf of the Police, and to manage and allocate the Police budget in accordance with appropriations and with priorities set by the Minister.

### **Article 38** **Deputy General Director and Assistant General Directors**

38.1 The Deputy General Director of the Police and the Assistant General Directors of the Police shall be appointed by the Minister based upon recommendations from the Senior Appointments and Discipline Commission of the Police, pursuant to a transparent, competitive recruitment process as set forth in the relevant applicable law.

38.2 The Deputy General Director and each Assistant General Director shall be appointed to an initial term of three years, and may be reappointed at the end of the initial term for a term of five (5) years without competitive procedures. A person may serve for a total of no more than eight years in any one position among the Deputy General Director and the Assistant General Director positions.

38.3 Minimum qualifications for candidates for the positions of Deputy General Director and Assistant General Director shall be the same as ones for the General Director, as provided by paragraph 3 of Article 37 of this Law.

38.4 The role and functions of the Deputy General Director shall be determined by the General Director, subject to approval by the Minister. The Deputy General Director shall assist in performing the General Director's functions as instructed by the General Director, and shall exercise the powers and duties of the General Director in his or her absence or inability to perform, or at the General Director's request.

38.5 The role and functions of each Assistant General Director shall be determined by the General Director, subject to approval by the Minister.

### **Article 39** **Regional Police Directors**

39.1 Regional Police Directors shall be selected by the General Director pursuant to a transparent, competitive, internal selection process.

39.2 The role and functions of each Regional Director shall be determined by the General Director.

39.3 Each Regional Director shall supervise police functions within his or her assigned region and exercise immediate direction and control over police employees assigned to his or her Regional Directorate.

### **Article 40** **Station Commanders**

40.1 Station Commanders of Police Stations and commanders of substations shall be selected by the General Director with the participation of Municipal Assemblies pursuant to the provisions of this Article. Participation of municipal assemblies in the selection process is intended to highlight

the significance of the responsibility that the Police and Police Officers have to respond to the needs and concerns of the local communities regarding police services.

40.2 The General Director shall present to the Municipal Assembly a list of at least three candidates for the position of Station Commander or substation commander.

40.3 The Municipal Assembly shall rank the proposed candidates and notify the General Director of the rankings within 15 days after receipt of the General Director's list. Within 15 days after receipt of the rankings, the General Director shall select the Station Commander or substation commander from among the candidates, giving due consideration to the recommendations of the Municipal Assembly.

40.4 If the Municipal Assembly rejects all of the candidates proposed by the General Director, then the General Director shall propose three new candidates, the Municipal Assembly shall rank the new candidates, and the General Director shall select in a similar manner as stated in paragraph 3 of this Article.

40.5 If, after the second round of candidates, the Municipal Assembly rejects all of the candidates, the General Director shall select the station or substation commander from among any of the proposed candidates from two previous rounds. If the Municipal Assembly simply does not state a preference for one of the proposed candidates, the General Director will select the station or substation commander from among the second round candidates.

40.6 Each Station Commander and substation commander shall supervise police functions within his or her assigned jurisdiction and exercise immediate direction and control over police employees assigned to his or her Police Station or substation.

#### **Article 41**

##### **Special Selection of Station Commanders**

41.1 In municipalities where the largest ethnic community is Serbian, Station Commanders of Police Stations and commanders of substations shall be selected by the General Director with the participation of Municipal Assemblies pursuant to the provisions of this Article. Participation of municipal assemblies in the selection process is intended to highlight the significance of the responsibility that the Police and Police Officers have to respond to the needs and concerns of the local communities regarding police services.

41.2 To begin the selection process, the General Director shall present to the Municipal Assembly of the municipality in which a Police Station or substation is located, a written request for the recommendation of at least two candidates for Station Commander or substation commander who fulfill all minimum professional requirements for the position as set forth by law. When making the request, the General Director may offer the Municipal Assembly suggestions of candidates they may wish to consider during their deliberations. The Municipal Assembly shall recommend at least two qualified candidates to the General Director within fifteen (15) days from the receipt of the request, and may rank them in order of preference. The General Director, in consultation with the Regional Commander, may then select one of the recommended candidates within fifteen (15) days from the receipt of the recommendations, giving due consideration to any stated preferences. The selected candidate shall then be appointed by the Ministry of Internal Affairs without delay, unless the provisions of paragraph 3 of this Article, apply.

41.3 If none of the recommended candidates are acceptable to the Ministry of Internal Affairs, the General Director shall so notify the Municipal Assembly and request from them at least two additional recommendations of candidates who are current Police Officers and who fulfill all minimum professional requirements as set forth by law. The Municipal Assembly shall recommend at least two qualified candidates to the General Director within fifteen (15) days from the receipt of the request, and may rank them in order of preference. The General Director, in consultation with the Regional Commander, shall then select one of the recommended candidates within fifteen (15) days from the receipt of the recommendations, giving due consideration to any stated preferences. The selected candidate shall then be appointed by the Ministry of Internal Affairs without delay.

41.4 If the Municipal Assembly does not provide recommendations as required by this Article after receipt of the written request by the General Director, the General Director is authorized to select the Station Commander or substation commander without recommendation from the Municipal Assembly, giving due consideration to the needs and concerns of the local communities regarding police services. The General Director within fifteen (15) days shall issue written notice of the selection to the Municipal Assembly.

41.5 Each Station Commander and substation commander shall supervise police functions within his or her assigned jurisdiction and exercise immediate direction and control over police employees assigned to his or her Police Station or substation.

## **Article 42 Border Police Station Commanders**

42.1 Station Commanders for Border Police Stations shall be selected by the General Director pursuant to a competitive, internal recruitment process.

42.2 Each Border Police Station Commander shall supervise police functions within his or her assigned jurisdiction and exercise immediate direction and control over police employees assigned to his or her Border Police Station.

## **Article 43 Conditions for Discharge from Senior Positions: General Police Director, Deputy Police Director and Assistant Police Director**

43.1 The General Police Director, the Deputy Police Director, and any Assistant Police Director, may be discharged by the appointing authority, before the end of a term:

- a) upon his or her request;
- b) if unable to perform duties for a period of six months due to health reasons;
- c) for not fulfilling the assigned tasks and responsibilities;
- d) upon a finding that he or she is guilty of a serious disciplinary violation; and
- e) upon conviction for a criminal offense by a final court decision.

43.2 After any senior officer is discharged, an acting officer shall be selected by appointing authority, unless a new candidate is selected.

**Article 44**  
**Disciplinary Procedures for Senior Appointed Positions**

44.1 Allegations of serious or minor disciplinary offences involving the General Director, the Deputy General Director, or any Assistant General Director shall be investigated by the Police Inspectorate of Kosovo in accordance with procedures described in the relevant applicable law and subsidiary legal acts.

44.2 The Inspectorate shall report its findings to the Senior Police Appointments and Discipline Committee. The Discipline Committee shall determine whether a disciplinary offence has occurred, and, in the event an offence has occurred, shall recommend to the Minister the disciplinary measure to be imposed.

44.3 The Minister shall determine the disciplinary measure to be imposed, giving due consideration to the recommendation of the Discipline Committee. The decision of the Minister shall be a final administrative decision subject to judicial review only by the competent court.

44.4 When a disciplinary offence may also constitute a criminal offence, the Discipline Committee and the Minister shall inform the chief prosecutor from the public prosecutor's office competent to investigate the criminal offence.

**Article 45**  
**Disciplinary Procedures for Police Officers and Other Employees**

45.1 Allegations of serious disciplinary offences involving any Police Officer or other employee of the Police, except senior appointed positions, shall be investigated by the Police Inspectorate of Kosovo in accordance with procedures described in the relevant applicable law and subsidiary legal acts.

45.2 The Inspectorate shall report its findings to the Senior Police Appointments and Discipline Committee. The Discipline Committee shall determine whether a disciplinary offence has occurred, and, in the event an offence has occurred, shall recommend to the General Director the disciplinary measure to be imposed.

45.3 The General Director shall determine the disciplinary measure to be imposed, giving due consideration to the recommendation of the Committee.

45.4 A decision by the General Director may be administratively appealed to the Minister. The decision of the Minister shall be a final administrative decision subject to judicial review only by the competent court.

45.5 Allegations of minor disciplinary offences involving any Police Officer or other employee of the Police, except senior appointed positions, shall be investigated by the Internal Affairs Unit of the Police in accordance with procedures described in the relevant applicable law and subsidiary legal acts. The Professional Standards Unit shall report its findings to the Internal Police Discipline Commission, who shall determine whether a disciplinary offence has occurred, and, in

the event an offence has occurred, will determine the disciplinary measure to be imposed, giving due consideration to any recommendation of the Internal Affairs Unit.

45.6 A decision by the Internal Discipline Commission may be appealed to the Police Appeals and Rewards Board. The decision of the Appeals Board shall be a final administrative decision subject to judicial review only by the competent court.

#### **Article 46 Serious Disciplinary Offences**

A Police Officer or a civilian staff member commits a serious disciplinary offence if he or she actually, attempt to commit, assist another to commit or incites another to commit any of the following:

- a) serious discreditable conduct;
- b) serious insubordination;
- c) serious improper disclosure of information;
- d) corrupt practice;
- e) serious abuse of authority;
- f) improper use of fire arms;
- g) excessive use of force;
- h) serious damage to police property;
- i) misuse of alcohol and other intoxicating substances;
- j) sexual harassment while in service;
- k) discriminatory actions on the basis of age, gender, sexual orientation, ethnicity or religion;
- l) sexual abuse and exploitation of any individual; and
- m) criminal conduct.

#### **Article 47 Minor Disciplinary Offences**

A Police Officer or a civilian staff member commits a minor disciplinary offence if he or she actually, attempt to commit, assist another to commit or incites another to commit any of the following:

- a) minor discreditable conduct;
- b) minor insubordination
- c) neglect of duty;
- d) minor improper disclosure of information;
- e) minor abuse of authority; and
- f) minor damage to police property; or improper wearing of uniform and improper personal appearance.

#### **Article 48 Serious Disciplinary Measures**

A Police Officer or civilian staff member that committed a serious disciplinary offence shall be liable to one of the following penalties:

- a) dismissal;
- b) reduction in rank;
- c) removal from the position of command;
- d) suspension without pay from 30 to 60 days; and/or
- e) a deduction of 20 to 30 percent of one month's gross salary, up to two months.

**Article 49**  
**Minor Disciplinary Measures**

A Police Officer or civilian staff member that committed a minor disciplinary offence shall be liable to the following penalties:

- a) verbal reprimand;
- b) written reprimand;
- c) a deduction not exceeding 20 percent of one month's gross salary, up to three months;
- d) suspension without pay for a maximum 30 days; and/or
- e) disciplinary transfer.

**CHAPTER V**  
**SELECTION, TRAINING, PERFORMANCE AND DISCIPLINE OF POLICE OFFICERS**

**Article 50**  
**Standards for Education and Training of Police Officers**

The General Director shall in coordination with the Ministry of Internal Affairs be responsible for determining and certifying all minimum standards and qualification programs, employment, recruitment, selection, obligatory training, for probation period of employment and continuous education of Police Officer in accordance to this Law and shall be harmonized with the education system of Kosova as defined by the Ministry of Education Science and Technology.

**Article 51**  
**General Qualifications for Police Officers**

The qualifications of a Police Officer shall include, but not be limited to:

- a) citizenship in Republic of Kosova;
- b) completion of a secondary education;
- c) good physical, mental and emotional health;
- d) no convictions for a criminal offense; and
- e) prior history of good moral character and ethical conduct.

**Article 52**  
**Selection Procedures for Police Officers**

The procedures for the selection and testing of candidates for positions as Police Officers shall include, but not be limited to, a test of general knowledge, which shall include a written test; a test of physical fitness; a medical examination; a psychological examination; an oral test; and a background investigation. These tests will be used to verify that minimum standards required by law are met.

**Article 53**  
**Basic Police Training**

53.1 Candidates selected for positions as Police Officers shall undergo basic police training. The training shall be in accordance with the requirements of all minimum standards and programs described in Article 50. Only after successful completion of basic police training a trainee will be certified as a Police Officer entitled to perform executive police duties.

**Article 54**  
**Probation period for Police Officers**

54.1 Following completion of basic police training and certification as a Police Officer, there shall be a probationary period of employment for a period of at least 6 months, during which the Police Officer shall perform executive police duties.

54.2 If the Police Officer successfully concludes the probation period, the Police shall affirm and extend the employment relationship; however, if the Police Officer's performance is unsatisfactory, the Police shall terminate the employment without the right to further compensation.

54.3 A Police Officer whose employment has been terminated has the right to appeal as set forth in the law or regulations.

**Article 55**  
**Performance Appraisal of Police Officers**

55.1 The Police shall at least once a year conduct a performance appraisal of each Police Officer to evaluate the Police Officer's effectiveness in fulfilling all the service requirements and necessary professional standards during the performance of police duties.

55.2 The performance appraisal of each Police Officer shall be adopted and signed by the direct supervisor. The Police Officer must be informed of the result of the appraisal.

**CHAPTER VI**  
**THE EMPLOYMENT RELATIONSHIP**

**Article 56**  
**Employment of Police Personnel**

The Kosova Republic Police shall employ two categories of police personnel:

- a) police Officers, who take an oath and have authority to assert police powers and perform police duties, and
- b) civilian Staff, who are employed to perform administrative and support services, but who do not have authority to assert police powers.

**Article 57**  
**Applicability of the Civil Service Law**

Except as otherwise specifically addressed in this Law or another applicable law, employment with the Police shall be governed by the Civil Service Law of Kosova.

**Article 58**  
**Ranks and Assignments of Police Officers**

58.1 The ranking system for Police Officers is according to the following classes and ranks:

- 1. Police Officers of the operational level:
  - a) probationary Police Officer; and
  - b) police officer.
- 2. Police Officers of the first management level:
  - a) police Sergeant.
- 3. Police Officers of the mid-management level:
  - a) police lieutenant; and
  - b) police captain.
- 4. Police Officers of the senior management level:
  - a) police Major;
  - b) police Lieutenant Colonel; and
  - c) police Colonel.
- 5. Senior appointed police positions:
  - a) assistant General Director of the Police;
  - b) deputy General Director of the Police; and
  - c) general Director of the Police.

58.2 The senior appointed ranks are functional, and duties shall be assumed by the Police Officer immediately upon appointment to the position. Upon completion of the appointed term in a senior appointed position, the Police Officer shall resume service at the highest rank in the senior management level.

58.3 A training, during basic police training, including both academy training and field training, shall have the rank of Probationary Police Officer.

## **Article 59 The Rights of Police Officers**

59.1 Police Officers, to the fullest extent possible, shall enjoy the same civil and political rights as other citizens; subject only to restrictions in law deemed necessary for the effective exercise of their police powers and duties in a democratic society.

59.2 Police Officers, to the fullest extent possible, shall enjoy the same social and economic rights as other public servants, such as the rights to organize or to participate in representative organizations, and to receive appropriate remuneration, social security, health and other benefits for their work.

59.3 However, Police officers shall not have the right to strike. But they have right to express their dissatisfaction through protests organized and lead by their representative bodies.

## **Article 60 Salaries and Compensation for Police Officers**

60.1 The development of a compensation package for Police Officers shall recognize the special conditions under which they perform their duties. The basic salary of Police Officers shall vary based on factors including, but not limited to, rank and length of service.

60.2 In addition to basic salary, Police Officers may lawfully receive various types of salary supplements, allowances and benefits. Such supplemental payments may be based on factors including, but not limited to, hazardous duty, overtime, shift differential, working during holidays or other days that would normally be days off, special assignments, and special skills.

60.3 Supplemental payments may include, but are not limited to, risk allowance, shift allowance, holiday pay, overtime pay, and special assignment pay. Benefits may include, but are not limited to, medical and health expenses, professional and technical training expenses, living expenses for temporary transfer or special assignment, paid leave, death benefits, experience benefits and pension benefits.

60.4 The basic salaries and any authorized supplemental payments shall be determined and paid in accordance with procedures defined in relevant applicable law and subsidiary legal acts. The General Director may include in the annual budget proposal for the Police, subject to the approval of the Minister, amounts to be used for the payment of any supplemental payments authorized by law.

## **Article 61 Compensation for Death in the Line of Duty**

61.1 The Police shall pay the expenses for the burial in Kosova of a Police Officer who dies in the line of duty. The burial place shall be determined by the Police Officer's family. The Police shall pay only the following expenses:

- a) transportation cost to move the body to the burial site;
- b) travel expenses for two accompanying persons;
- c) burial expenses that have not been otherwise paid;
- d) other related expenses, subject to the approval of the Minister.

61.2 The Police shall pay the spouse or surviving children under eighteen (18) years of age of a Police Officer who dies in the line of duty immediate financial assistance in an amount equal to the Police Officer's net monthly salary multiplied by six. Such payment shall be made only after the spouse or surviving children establish that they had been supported by the Police Officer prior to his or her death.

61.3 The spouse or surviving children under eighteen (18) years of age of a Police Officer who dies in the line of duty shall be eligible to receive a family pension, but only in the amount and to the extent authorized by relevant applicable law and subsidiary legal acts issued by the Government.

## **Article 62**

### **Conflict of Interest**

The Police Officer shall not accept a position or obligation, and shall not participate in any function or activity, that creates a conflict of interest with official police duties. Positions and activities that constitute conflict of interest include, but are not limited to, the following:

- a) appointment or election to public office or other government position;
- b) campaigning for election to a public office;
- c) employment, or participation in any business activity for compensation, except with permission granted by the General Director;
- d) active participation in any political party; following instructions of any political party in performance of police duties; appearing in police uniform at any political gathering, except when there on official police duty (mere membership in a political party is not a conflict of interest); and
- e) issuance of public statements or comments regarding the work of the Police, except pursuant to permission from the appropriate authorized superior.

## **Article 63**

### **Temporary Transfer of Police Officer to Different Employment Authority**

63.1 A Police Officer may be temporarily transferred to a different authority, including, but not limited to, public administration authority, or other institution, for a time period not to exceed four years.

63.2 Such temporary transfer shall be permitted only following the consent of the Police Officer. During the temporary transfer, the Police Officer maintains rank and other rights, unless otherwise agreed.

**Article 64**  
**Police Officer Assignment Abroad**

64.1 A Police Officer may be assigned abroad as part of his or her regular duties in order to support cooperation with competent international authorities or international organizations.

64.2 Assignment abroad may be carried out only with the consent of the Police Officer.

64.3 Assignment abroad shall be implemented only as authorized by a lawful international agreement to which Kosova is a signatory.

**Article 65**  
**Rehire Rights of Police Officers**

65.1 A Police Officer who resigned from the Police in good standing may be rehired by the Police if there is an available position for which he is qualified.

65.2 If the rehire is applied after one uninterrupted year, the Police Officer continues its career with a lower rank he had before discharge or shall be recertified for the rank he possessed.

65.3 A Police Officer who is discharged from employment as a result of a reorganization or reduction of headcount, and not for any cause, may be rehired by the Police without competition if there is an available position for which he is qualified.

**Article 66**  
**The Police Appeals and Rewards Board**

66.1 The Police Appeals Board shall be established by the General Director to review decisions, actions or omissions by the Police dealing with the status of a Police Officer in accordance with this law.

66.2 Such a review may be requested by either the Police Officer who feels harmed by the decision, action, or omission, or by the Police authority in which the Police Officer is employed.

**CHAPTER VII**  
**FINANCING**

**Article 67**  
**Police Budget and Financial Management**

67.1 The Police shall have its own budget, which is a separate budget within the Ministry, subject to approval by the Assembly.

67.2 The General Director shall prepare the budget of the Police, and shall submit it to the Minister for review and further processing in accordance with the procedures established by law.

67.3 The Police shall be responsible for the implementation and management of the budget.

**Article 68**  
**Police Special Funds**

68.1 The Police budget may include appropriations for special funds to be used for payment of rewards, payment of informants, payment for witness protection, and payment for other special police operations.

68.2 Funds described in paragraph 1 of this Article shall be administered by the General Director in conformity with a subsidiary legal act to be issued by the Minister governing the management and expenditures of such funds.

**Article 69**  
**Liability for Damage or Injury**

69.1 A Police Officer shall report to his or her supervisor any damage or injury that he or she may have caused during the performance of his or her police duties.

69.2 In accordance with applicable law, the Government of Kosova shall be liable for the damage or injury caused to natural and legal persons as a result of the actions of police officers in the execution or in conjunction with the execution of police duties.

**Article 70**  
**Medals, Awards and Commendations**

70.1 The Minister and General Director have power to award medals and letter of appreciation to Police Officers, other Police employees, and other persons who distinguish themselves for special merit.

70.2 The Minister shall award the following medals:

- a) medal of Honor;
- b) medal for Merit;
- c) medal of Valor; and
- d) lifesaving Medal.

70.3 The General Director shall award the following medals:

- a) police Shield Medal;
- b) distinguished Service Medal;
- c) police Commendation Medal; and ,
- d) faithful Service Medal.

**CHAPTER VIII**  
**TRANSITIONAL AND FINAL PROVISIONS**

## **Article 71**

### **Transfer of Functions, Staff, Assets and Records from Kosova Republic Police Service**

71.1 The duties, responsibilities and functions of the Kosova Republic Police Service established pursuant to the authority of the United Nations Mission in Kosova (hereinafter "UNMIK") through UNMIK Regulations are hereby transferred to the Police established pursuant to this Law, to be performed in accordance with the provisions of this Law. This transfer of functions to the Police shall have no effect upon ongoing investigations or prosecutions.

71.2 All police officers and other employees of the Kosova Republic Police Service established pursuant to UNMIK's authority and UNMIK Regulations are hereby transferred to the Kosova Republic Police established pursuant to this Law.

71.3 The contractual rights and obligations of the police officers and other employees, including, but not limited to, rank and seniority rights, shall continue as if there was no change in employer. However, their ongoing rank, rights and obligations shall be governed by this Law.

71.4 All rights, contracts, obligations, assets, liabilities and budget of the Kosova Republic Police Service established pursuant to UNMIK's authority and UNMIK Regulations are hereby transferred to the Police established pursuant to this Law. The Police shall have the same ownership rights and contractual rights and obligations as the Kosova Republic Police Service had at the time of the transfer.

71.5 All books and records of the Kosova Republic Police Service established pursuant to UNMIK's authority and UNMIK Regulations are hereby transferred to, and become the books and records of, the Police established pursuant to this Law.

71.6 All transfers described in this Article shall be effective on the date this Law enters into force.

## **Article 72**

### **Transition to New Rank Structure**

The General Director, subject to the approval of the Minister, shall issue a subsidiary legal act to clarify the transition of Police Officers from the former rank system to the rank system established by this Law.

## **Article 73**

### **Subsidiary Legal Acts**

73.1 By an Administrative Direction the General Director shall set forth in detail the:

- a) manner of support offer to government bodies, as described in Articles 7, 8 and 9 of this Law;
- b) manner of performing duties and police powers as described in Articles 10 and 11 of this Law;
- c) use of force by Police Officers, as described in Article 25 of this Law;
- d) use of firearms by Police Officers, as described in Article 26 of this Law;
- e) Standards and methods on collection, retention, procession and removal of personal data kept by Police, as described in Article 30 of this Law;
- f) needed qualifications and use of reserve police, as described in Article 36 of this Law;

- g) procedure, rating and criteria concerning appraisal performance of the Police Officer as described in Article 55 of this Law ;
- h) promotion procedure and ranks for particular administrative, scientific and technical functions as described in Article 55 of this Law;
- i) rehire procedure as described in Article 65 of the present Law;
- j) types of Medals, Awards and Commendations, as described in Article 70 of this Law; and
- k) the General Director shall issue subsidiary legal acts in order to support cooperation between the municipal assembly and community as set forth with this Article, and will support entire operations of Safety Committees and Boards.

73.2 By a subsidiary legal act the Minister shall set forth:

- a) types of minor and serious disciplinary offences;
- b) subsidiary legal acts concerning management and expenditure of special police funds; and
- c) criteria and procedure when rewarding medals described in Article 70 of this Law.

#### **Article 74 Supersession**

This Law supersedes all conflicting provisions of the applicable law in existence at the time of its entry into force, except where this Law specifically acknowledges the authority of other applicable law.

#### **Article 75 Effective Date**

This law shall enter into force upon its approval by Assembly of Kosova and after its announcement in the Official Gazette

**Law No. 03/ L-035  
20 February 2008**

**President of the Assembly of Republic of Kosova**

\_\_\_\_\_  
**Jakup KRASNIQI**