



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

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**Law Nr. 03/L-036**

**ON KOSOVA POLICE INSPECTORATE**

The Assembly of Republic of Kosova,

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

Hereby adopts

**LAW ON KOSOVA POLICE INSPECTORATE**

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

**Article 1**  
**Purpose**

The purpose of this law is to determine the organization, function and authorizations of the Kosova Republic Police Inspectorate.

**Article 2**  
**Establishment**

Kosova Republic Police Inspectorate is an Executive Agency within the Ministry of Internal Affairs, independent from the Kosova Republic Police.

**Article 3**  
**Principles**

3.1 Kosova Republic Police Inspectorate is guided by these principles:

- a) professionalism;
- b) objectivity;
- c) political impartiality;
- d) non-discrimination; and
- e) respect for human rights.

3.2 Commitment to merit-based, non-discriminatory hiring, promotion and assignments, which is inclusive, reflecting the multi-ethnic character of Republic of Kosova and recognizing the principles of gender equality and human rights incorporated to the Constitution.

#### **Article 4** **Definitions**

Expressions used in this law have this meaning:

- “Police Inspector”**- means police inspector who has authorization to perform inspections and disciplinary investigations against the employees of the Kosova Republic Police;
- “Police officer”**- means the officer under oath of the Kosova Republic Police to whom is given the authority to exercise police authorizations in commission of his or her tasks;
- “Police civilian staff”**- means the members of the Police who performs support and administrative services and does not have police authorizations;
- “Kosova Republic Police Employee”**- means the police officer and civilian staff of the Kosova Republic Police;
- “Ordinary inspection”**- is a regular inspection of the efficiency and effectiveness of the professional activities of the Kosova Republic Police;
- “Extraordinary inspection”**- is an inspection which is carried out when there are reasonable grounds of suspicion to believe that the action or behavior of the Kosova Republic Police involves a serious breach of the ‘Policy and Procedures Manual’ of the Kosova Republic Police, or a serious breach of the applicable law irrespective of the existence of a proceeding against Kosova Republic Police employee for alleged commission of the violation of the applicable law;
- “Protocol”**- is written instruction through which are defined the operative procedures for ordinary and extraordinary inspections of the Kosova Republic Police employees;
- “Competent authority”**- means:
  - Ministry of Internal Affairs;
  - Director-General of the Police;
  - Chief Executive of the Kosova Republic Police Inspectorate;
  - Officer of the Kosova Republic Police Inspectorate; and
  - Employee of the Kosova Republic Police.
- “Official notification”**- is a written statement on whether there is conducted or no an investigation and the manner in which it has been conducted, according to the assessment of the Chief Executive of the Police Inspectorate;
- “Independent defense counsel”**- is referred only to the advocate who is member of Kosova Republic Chamber of Advocates;
- “Appeal against the employee of the police”**-, is allegation made by any person in direct or indirect manner to the competent authority, in relation to the bad behavior of the police employee;
- “Police unit”**- is referred to any level of the Police organization;
- “High executive positions”**- are referred to the Director-General of the Police, Deputy Director and Assistant Director;
- “Chief Executive Officer of Inspectorate”**- is referred to the Chief Executive of the Kosova Republic Police Inspectorate;
- “Minister”**- is referred to the Minister of Internal Affairs.

## **CHAPTER II**

### **ORGANISATION, SUPERVISION AND CRITERIA**

#### **Article 5**

##### **Organization and structure of the Kosova Republic Police Inspectorate**

5.1 Kosova Republic Police Inspectorate is managed by the Chief Executive Officer of the Inspectorate and it is composed, but not limited, of two departments:

- a) department for inspections of Kosova Republic Police employees; and
- b) department for disciplinary investigations against the Kosova Republic Police employees.

5.2 Within the domain of the Inspectorate is also functioning the administration which provides support and administrative services.

5.3 Organizational structure of the Police Inspectorate is proposed by the Chief Executive of the Inspectorate and it is approved by the Minister.

#### **Article 6**

##### **Supervision of the Kosova Police Inspectorate**

6.1 Kosova Police Inspectorate acts under the authority of the Minister, and under the control and supervision of the Chief Executive Officer of the Inspectorate.

6.2 The Chief Executive Officer of the Inspectorate reports and is answerable to the Minister for administration and management of the Inspectorate.

#### **Article 7**

##### **Criteria for admission in the Police Inspectorate**

7.1 A person may be selected as Chief Executive Officer of the Inspectorate, Director of the Department or Inspector, only if he or she:

- a) possesses the diploma of university from any acceptable faculty, preferably law faculty;
- b) has not been previously convicted for any criminal offence or grave disciplinary violation; and
- c) has successfully passed the verification of his/her past.

7.2 Chief Executive Officer of the Inspectorate will be nominated by the Senior Public Appointment Commission in accordance with the procedure for nomination of high officials of civil service.

7.3 Chief Executive Officer of the Inspectorate may be dismissed from the position only due to mal-administration and professional incompetence, or after he/she is pronounced guilty of a serious criminal offence.

7.4 The Chief Executive Officer of the Inspectorate is responsible for:

- a) overall administration and management of the Police Inspectorate and for insurance of implementation of the functions which are trusted to the Inspectorate;
- b) insurance of adequate supervision, providing of impartial, professional and accurate advices for the respective authority on him/her;

- c) organization and employment of the staff in the Police Inspectorate, and also the issuance of administrative instructions and decisions about the issues which belong to the functions of the Inspectorate;
- d) effective and efficient management of the resources which are ensured for the Police Inspectorate;
- e) application of non-discriminatory policies for the staff of the Police Inspectorate, including here also equal gender representation in all fields and levels, and insurance of the composition of the staff which reflects Kosova's Republic multiethnic character; and
- f) employment of the staff of the Police Inspectorate on the basis of professional qualification, skills and merits of each through open and fair vacancy.

## **CHAPTER III BUDGET, COMPENSATION AND SALARY**

### **Article 8 Budget**

8.1 The Police Inspectorate has its own budget, which is a vocation in itself within the Ministry of Internal Affairs.

8.2 The Chief Executive Officer of the Inspectorate prepares and delivers the plan for the annual budget of the Police Inspectorate to the Ministry of Internal Affairs for further proceeding.

8.3 The responsibility for management and use of the budget belongs to the Chief Executive Officer of the Inspectorate.

### **Article 9 Compensation and salary**

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

9.2 In addition to basic salary, Police Inspectors 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.

9.3 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.

9.4 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 Chief Executive Officer of the Inspectorate may include in the annual budget proposal for the Police Inspectorate, subject to the approval of the Minister, amounts to be used for the payment of any supplemental payments authorized by law.

## **CHAPTER IV AUTHORISATIONS**

### **Article 10 General Authorizations of the Police Inspectorate**

Kosova Police Inspectorate has authorization to:

- a) conduct inspections of the Kosova Republic Police and to report on work and efficiency in achievement of the goals;
- b) investigate allegations for grave disciplinary violations against employees of the Kosova Republic Police and all allegations against Senior Police personnel of the Kosova Republic Police and to recommend to the responsible authority as to which disciplinary measures, if needed, should be pronounced.

### **Article 11 Authorizations and duties of the Chief Executive of the Inspectorate**

11.1 Chief Executive Officer of the Police Inspectorate has these authorizations and duties:

- a) Authorizes the Police Inspectors to perform ordinary and extraordinary inspections of the Kosova Republic Police;
- b) Presents annual reports and plans for the future work;
- c) Prepares and delivers to the Ministry of Internal Affairs the annual report for the budget of the Police Inspectorate;
- d) Drafts protocols which are used by the Police Inspectors during the exercise of ordinary inspections;
- e) Provides written instructions regarding every extraordinary inspection;
- f) Provides instructions for all reports of the Inspectorate which are in compliance with the protocols;
- g) Authorizes the initiation of the disciplinary investigations; and
- h) Other authorizations and duties foreseen by this law.

11.2 Authorizations noted in the paragraph 1, may be issued in written or orally. For extraordinary inspections or disciplinary investigations, authorizations may be issued through oral communication, in urgent cases or if this is required by certain circumstances and within 24 hours the written authorization should be issued.

11.3 If the Chief Executive Officer of the Inspectorate is in knowledge that the life or physical security of the Police Inspectors is threatened during the performance of their duties, he assesses such threat and should undertake measures in order to achieve the safety of the Police Inspectors.

### **Article 12 Authorizations and duties of the Director of the Department for Inspections**

12.1 Director of the Department for Inspections reports and works under the delegated authority of the Chief Executive Officer of the Inspectorate.

12.2 Director of the Department for Inspections has these authorizations and duties:

- a) supervises the performance of ‘ordinary’ inspections, according to the official protocols and conducts the supervision of ‘extraordinary’ inspections, according to the provisions of the law in force;
- b) prepares the timetables and reports of the inspection and supervises the preparation and timely delivery of the inspection reports, based on the data collected during the performance of ‘ordinary’ and ‘extraordinary’ inspections;
- c) assists the Chief Executive Officer of the Inspectorate in regular reviews of the Inspection Protocols and Inspectorate’s Reports;
- d) assigns duties and monitors the work and manner of performance of duties by the police inspectors in an effective way; and
- e) performs other functions and duties foreseen by this law or assigned by the Chief Executive Officer.

### **Article 13**

#### **Authorizations and duties of the Director of the Department for Disciplinary Investigations**

13.1 The Director of the Department for Disciplinary Investigations reports and works under the delegated authority of the Chief Executive of the Inspectorate.

13.2 The Director of the Department for Disciplinary Investigations has these authorizations and duties:

- a) reception and classification of the appeals for disciplinary violations;
- b) supervises the disciplinary investigations for serious cases of grave behavior committed by the Police employees according to the provisions of applicable law;
- c) prepares the files of disciplinary cases and supervises timely delivery of files to the Minister and Commission for High Nominations and Discipline in the Police;
- d) manages the process of presentation of evidence in the sessions for disciplinary reviews held by the Commission for High Nominations and Discipline in the Police, inter-linked with the appeals for bad behavior;
- e) assigns duties and monitors the work and manner of performance of duties in effective way by the police inspectors; and
- f) performs other functions and duties foreseen by this law.

### **Article 14**

#### **Authorizations and duties of the Police Inspectors**

14.1 A Police Inspector has authorization to act and he/she should be equipped with the identification card and the badge only if he/she has successfully concluded the training and evaluation period as determined by the Chief Executive Officer of the Inspectorate and approved by the Minister.

14.2 A Police Inspector should present her/his identification card and the badge during the performance of the assigned duty and he/she shall be authorized to enter the zone and areas under police control and to have access to police materials, unless the exercising of such power should impede an ongoing police operation.

14.3 At the beginning of an ordinary and extraordinary inspection, the Police Inspector who conducts the inspection, shows the written authorization to the senior police officer responsible for the police unit and will hand over a copy of such authorization upon a request by the senior police

officer. With the reception of the written authorization, the senior police officer enables immediate and unhindered access in all parts of the police unit and instructs its personnel to offer a full assistance to the Police Inspectors, if this does not jeopardize the professional performance of an immediate or confidential task. In case of non-conformity, Inspector of the Police Inspectorate and the Senior Police Officer in charge shall seek guidance from the most Senior Officer of the respective entities.

14.4 Every Police Inspector who at any time finds a violation of the law in force or of internal acts of the Kosova Republic Police in public places by the member of Kosova Republic Police, should identify the member of Kosova Republic Police, register the violation and present it to the Inspectorate Chief Executive Officer for undertaking of further actions. Such identification shall not hinder the performance of any emergency measure of a Police officer.

### **Article 15** **Actions undertaken during the inspection**

15.1 Police Inspectors shall perform an inspection as efficient as it is possible and in a manner which does not impede an ongoing police operation.

15.2 If during an ordinary or extraordinary inspection, the Police Inspector finds evidence of a violation by the Kosova Republic Police employee, he/she should immediately undertake following actions:

- a) Ensure the evidence and preserve the place where that evidence was found;
- b) Inform the Inspectorate Chief Executive Officer and, without delays, the competent public prosecutor if the violation also amounts to a criminal offence which is prosecuted *ex officio*.

## **CHAPTER V** **ORDINARY AND EXTRAORDINARY INSPECTIONS**

### **Article 16** **Authorizations for inspection**

16.1 Written authorizations for performing of ordinary inspections are given at the beginning of the year and its timeframe concludes at the end of respective year.

16.2 Written authorization for performing of extraordinary inspections has a concluding timeframe of seventy two (72) hours after the issuance, with possibility of extension if there are grounded reasons for the performing of duties.

16.3 Ordinary inspections shall be done with pre-warning, while extraordinary one may be done without pre-warning.

### **Article 17** **Fields of inspection**

The Chief Executive Officer of the Police Inspectorate prepares a number of protocols which will be used by the Police Inspectors for commission of the ordinary inspections, and will include below mentioned aspects of the commission of duties by the Kosova Republic Police employees:

- a) management of police buildings;
- b) management of budget, finances and procurement;
- c) management of vehicles and equipment;
- d) management of human resources;
- e) management of weapons, ammunition;
- f) management in the cases of arrest, stopping and police detention;
- g) management of crimes against minorities and freedom of movement;
- h) management of the patrols;
- i) management of investigations and reveal of the crime;
- j) management of appeals against the police and investigation of disciplinary violations;
- k) management of local police plans, security of citizens and initiatives of police activities in the community;
- l) management of the processing of personal data in accordance with the applicable law;
- m) management of Border Police; and
- n) other fields foreseen by the Chief Executive of the Inspectorate or the Minister.

### **Article 18** **Methods of collection of data**

18.1 Protocols mentioned in the paragraph 1 of article 15 of this law will be referred to the bellow mentioned methods for collection of data:

- a) physical inspection of buildings, vehicles and equipment;
- b) physical inspections of records and police files, be these in documented form or in electronic or in audio/video form;
- c) official interviews with the Kosova Republic Police employees;
- d) official interviews with the groups of employees of the Kosova Republic Police and other civilian servants;
- e) official interviews with the citizens, with their informed consent, if it is considered needed and reasonable for collecting information;
- f) official interviews with the arrested, detained persons, or persons under security measures, the undertaking of which shall be subject to the authorization of the competent judicial organ, except when the interview takes place within the first 72 hours after arrest;
- g) use of questionnaires which are filled in by the employees of the Kosova Republic Police or by the citizens.

18.2 Police Inspectors, during the course of ordinary and extraordinary inspections has the right to take copies of the police records, be these in written form or in electronic or audio/video form, if this is needed for fulfillment of their duties. If the Police consider that any such action might impede ongoing police operation, investigations or the judicial process they shall refer the matter to the general director who shall consult with the chief executive of PIK.

18.3 Chief Executive of the Inspectorate may authorize that questioning or interview be recorded in the video or audio-recorder, and to be used the photo-apparatus if there is a need for it in the performing of duties.



**Article 19**  
**Collection and preservation of data**

19.1 Police Inspectors acts in accordance with the provisions of the applicable law which has to do with the preservation and use of personal data.

19.2 Police Inspectors, under any circumstance should not provide any kind of collected data to the persons who are not Police Inspectors, without previous written authorization of the Chief Executive of the Inspectorate or in his/her absence, of the authorized person.

(3) The competent judicial organs can order the disclosure of data and information held by the PIK.

**CHAPTER VI**  
**REPORTS OF THE POLICE INSPECTORATE**

**Article 20**  
**Preparation of the reports**

20.1 The Chief Executive Officer of the Inspectorate issues and approves the operative procedures for inspections.

20.2 Before it is handed over, the report of the Inspectorate is reviewed and signed by the Chief Executive of the Inspectorate or in his absence, by the authorized person.

20.3 The report of the Inspectorate should clearly and briefly emphasize objective data of the commission of the task and of recommendations based on these data.

20.4 Chief Executive of the Inspectorate should ensure that reports of the inspectorate do not contain subjective comments or other issues which are not based on objective evidence.

20.5 Chief Executive of the Inspectorate should ensure that these reports are in accordance with the highest standards of ethics and integrity and to achieve the purpose of direction of improvement of performance of duties and police effectiveness.

**Article 21**  
**Publication of reports**

21.1 Chief Executive of the Inspectorate should ensure that Police Inspectorate reports does not contain any material which, after the publication, may endanger the security of any person or compromise the national security or in an un-necessary manner endanger criminal investigations.

21.2 At the end of each calendar year, Chief Executive of the Inspectorate will prepare and publish an Annual Report which offers details regarding the activities of the Police Inspectorate, performance of the Kosova Republic Police and appeals against the police. The report should be a public document and copies of it will be delivered, but not limited, to the following:

- a) Kosova Republic President;
- b) Prime Minister;
- c) Kosova Republic Assembly;
- d) Minister of Internal Affairs;

- e) Police Director-General;
- f) Chairman of the Commission on Rule of Law;
- g) Mass-media.

21.3 If, as a result of ordinary or extraordinary inspection, the Police Inspectorate publish a report with specific recommendation regarding the performance of the Kosova Republic Police and if in the consequent inspection is concluded that the recommendations were ignored, the Minister of Internal Affairs may, on his assessment, request from the Kosova Republic Police Director-General, a written explanation about the non-undertaking of the recommended actions by the Inspectorate.

## **CHAPTER VII APPEALS AND DISCIPLINARY VIOLATIONS**

### **Article 22 Appeals against the Kosova Republic Police employees**

22.1 After receiving an appeal, the competent authority is obliged to do the written registration of the appeal, and to undertake any kind of needed and reasonable action in order to take and preserve the evidence which has to do with the behavior for which an appeal is made.

22.2 Competent authority within 3 days from the reception and registration of the appeal is obliged to inform the Police Inspectorate and within three working days to hand over all written notes and any evidence which is secured.

22.3 After the reception of the appeal, police Inspectorate determines whether the alleged violation is grave or light disciplinary violation.

22.4 If Police Inspectorate determines that the alleged violation is grave disciplinary violation, it registers the details of the appeal and starts investigations within 14 working days and at the same time informs in written the person who appealed that the appeal is registered and it is under investigations.

22.5 If Police Inspectorate determines that the alleged violation is light disciplinary violation, it registers the details of the appeal and it delivers these to the Police Internal Investigations Unit, who should start investigations within 14 working days, and at the same time the Inspectorate informs in written the persons who has appealed that the appeal is registered and it is sent to Police Internal Investigation Unit.

22.6 If the appeal does not represent disciplinary violation, Chief Executive of the Inspectorate will reject the appeal as not grounded and will inform the appellant and the Kosova Republic Police about the taken decision.

22.7 Written notification from paragraph 4, 5 and 6 of this Article will be sent to the appellant and the registrar of the appeal within thirty (30) working days, from the reception of the appeal by the competent authority.

**Article 23**  
**Police Internal Investigations Unit**

23.1 Police Internal Investigations Unit investigates the appeals about light disciplinary violations of the police employees, except the Police Director-General, Deputy Director, or Assistant-Director. Police Internal Investigations Unit will report to the Police Internal Disciplinary Commission which will determine whether the disciplinary violation is committed, and in the cases when the disciplinary violation is committed, will pronounce a disciplinary measure, taking in to consideration the recommendations of the Police Internal Investigations Unit.

23.2 Police Internal Disciplinary Commission and Police Commission on Appeals are obliged to inform the Chief Executive of the Inspectorate with the issued decision regarding the light violation, not latter than 5 working days from the day of taking the decision.

**CHAPTER VIII**  
**DISCIPLINARY VIOLATIONS**

**Article 24**  
**Grave disciplinary violations**

Kosova Republic Police employee commits grave disciplinary violation according to the law on police if he commits attempts to commit, assists or incites the other to commit one of the grave disciplinary violations foreseen by the law on police and subsidiary sub-legal acts.

**Article 25**  
**Disciplinary measures for grave disciplinary violations**

Police employee, who has committed grave disciplinary violation, is subjected to one of the penalty measures foreseen by the law on police.

**Article 26**  
**Light disciplinary violations**

Police employee commits light disciplinary violation according to the law on police if he commits attempts to commit, assists or incites the other to commit one of the light disciplinary violations foreseen by the law on police.

**Article 27**  
**Disciplinary measures for light disciplinary violations**

Police employee, who has committed light disciplinary violation, is subjected to one of the penalty measures foreseen by the law on police.

## **CHAPTER IX**

### **INVESTIGATIVE DISCIPLINARY ACTIONS**

#### **Article 28**

##### **Initiation of the disciplinary investigations**

Police Inspectorate starts the disciplinary investigations in the basis of authorization of the Chief Executive of the Inspectorate, if there is a reasonable suspicion that that person has committed a disciplinary violation according to the applicable law.

#### **Article 29**

##### **Investigation of appeals for grave disciplinary violations**

29.1 Chief Executive of the Inspectorate will issue and approve operative procedures for disciplinary investigations to the presumptions that Kosova Republic Police employees have committed grave disciplinary violation.

29.2 If received appeal by the Kosova Republic Police Inspectorate determines that the committed act contain also the elements of criminal offence which is prosecuted *ex officio*, the competent public prosecutor will be informed, be that after the investigations for grave disciplinary violation or immediately after the reception of appeal.

29.3 Chief Executive of the Inspectorate will sent a copy of official notification to the police employee against whom is initiated disciplinary investigation, except in cases where it is suspected that it might endanger or hinder the investigations.

29.4 After the conclusion of investigations, Police Inspector sends a report regarding the investigation to the Chief Executive of the Inspectorate and Director of the Department of Investigations.

29.5 After the review of the report which is sent according to paragraph 4 of this article, Chief Executive of the Inspectorate will sent an official notification to the Kosova Republic Police Director-General.

29.6 After the conclusion of investigations, Chief Executive of the Inspectorate will sent a copy of an official notification to the Kosova Republic Police employee, action of whom is investigated and to the person from whom or in behalf of whom, is filed the appeal.

29.7 If the investigation has to do with the appeal from a citizen, the Chief Executive of the Inspectorate should send to him a copy of official notification.

29.8 Any report or copy of a report will adhere to the applicable law on personal data protection.

#### **Article 30**

##### **Actions undertaken after the investigation of grave disciplinary violations**

30.1 If Kosova Police employee is pronounced guilty for criminal offence by the competent court, Chief Executive of the Inspectorate will refer the case to the Senior Police Appointments and Discipline Committee and Disciplinary Matters and will request disciplinary hearing regarding the behavior for which were conducted criminal investigations.

30.2 Chief Executive of the Inspectorate will ensure that disciplinary investigations are accomplished within three calendar months after the reception of appeal, not counting the time during which the case was reviewed by public prosecutor or the court.

30.3 Chief Executive of the Inspectorate will refer the case to the Senior Police Appointments and Discipline Committee and Disciplinary Matters for disciplinary hearing if there exists clear evidence that the grave disciplinary violation is committed.

### **Article 31**

#### **Suspension with full payment or temporary transfer of the Police employees**

31.1 In the cases when the Police Inspectorate is still not informed about the Police employee who is suspected of commission of disciplinary violation, Regional Director will decide, if that is in the interest of Kosova Republic Police and the person involved, to suspend him/her with full payment until 48 hours, and within 24 hours to inform about the case the Police Inspectorate.

31.2 If in the basis of received appeal by the Police Inspectorate is concluded that due to a suspicion for grave disciplinary violation it should be done a suspension with full payment or temporary transfer of the Police employee, Chief Executive of the Inspectorate will request in written by the Police Director-General to do the suspension or temporary transfer of the police employee.

31.3 Police Director-General will continue the suspension with full payment or temporary transfer if that is needed and in the basis of recommendations of the Police Inspectorate.

31.4 Such a decision should not be registered as punishment and suspended or transferred person will not be considered as guilty.

## **CHAPTER X**

### **SENIOR POLICE APPOINTMENTS AND DISCIPLINE COMMITTEE**

#### **Article 32**

##### **Establishment of the Senior Police Appointments and Discipline Committee**

32.1 Senior Police Appointments and Discipline Committee are established by the Minister by the sub-legal act.

32.2 Commission is independent from the Kosova Republic Police and Police Inspectorate.

#### **Article 33**

##### **Disciplinary hearings for grave disciplinary violations**

33.1 Disciplinary hearings regarding the appeals for grave disciplinary violations will be performed by the Senior Police Appointments and Discipline Committee.

33.2 Senior Police Appointments and Discipline Committee will conduct disciplinary hearings according to sub-legal acts approved by the Minister.

33.3 A Kosova Republic Police employee who is a subject of the appeal for grave disciplinary violation may be represented by an independent defense counsel chosen by him during the entire process of investigations or during any subsequent hearing or appeal.

## **CHAPTER XI**

### **DISCIPLINARY PROCEDURES AND APPEALS**

#### **Article 34**

##### **Taking of decisions and right to appeal**

34.1 Accusations for grave or light disciplinary offences which involve the Director-General, Deputy Director or Assistant Director are decided by the Commission for High Nominations and Discipline in the Police as first instance and are recommended disciplinary measures.

34.2 Minister of Internal Affairs is responsible to pronounce measure for grave and light disciplinary violations for the Director-General, Deputy Director or Assistant Director. Decision of the Minister will be final administrative decision, which may be subjected to judicial review only by a competent court.

34.3 Light disciplinary violation in which is involved the Police employee, except high executive positions, is decided by the Internal Disciplinary Commission, as first instance.

34.4 Decision taken by the Internal Disciplinary Commission may be appealed in administrative manner to the Commission on Appeals in the Police. The decision of the Commission on Appeals will be final administrative decision, which may be subjected to judicial review only by a competent court.

34.5 All accusations for grave disciplinary violations by the Kosova Police employees, except high executive positions in the police, are decided by the Commission for High Nominations and Discipline in the Police as first instance, and the measures are recommended.

34.6 Kosova Police Director-General is competent to pronounce the measure for grave disciplinary violation for an employee of the Kosova Republic Police, except high executive positions in the police. Every appeal against such a decision will be decided by the Minister of Internal Affairs. Decision of the Minister will be final administrative decision, which may be subjected to judicial review only by a competent court.

34.7 Disciplinary measures should be proportional to the disciplinary violation.

**CHAPTER XII**  
**TRANSITIONAL AND FINAL PROVISIONS**

**Article 35**  
**Repeal of the acts**

With entry into force of this law, provisions of UNMIK Regulation 2005/54, related to PIK cease to apply.

**Article 36**  
**Entry in to force**

This Law shall enter into force after its adoption by Kosova Republic Assembly and after its promulgation in the Official Gazette of Kosova Republic.

**Law No. 03/ L-036**  
**20 February 2008**

**President of the Assembly of Kosova**

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**Jakup KRASNIQI**