



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

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**Law No. 03/L-050**

**ON THE ESTABLISHMENT OF THE KOSOVO SECURITY COUNCIL**

The Assembly of the Republic of Kosovo,

On the basis Article 65(1) of the Constitution of the Republic of Kosovo,

Hereby adopts:

**THE LAW ON THE ESTABLISHMENT OF THE KOSOVO SECURITY  
COUNCIL**

**CHAPTER I  
NORMAL SITUATION**

**Article 1  
Role**

1.1 The Kosovo Security Council shall have an advisory role on all matters relating to the security of Kosovo and its contribution to regional stability.

1.2 The Kosovo Security Council shall recommend security policies and security strategies.

1.3 The Kosovo Security Council shall provide information and assessments on the security situation in Kosovo to enable the Government of the Republic of Kosovo to make informed decisions on security related issues

## **Article 2**

### **Competences**

2.1 The Kosovo Security Council shall, in coordination with the President of the Republic of Kosovo, develop and review the Security Strategy of Kosovo. The Security Strategy of Kosovo shall be approved by the Government and submitted to the Assembly of Kosovo for final approval.

2.2 The Kosovo Security Council shall provide written comments on all draft laws related to the security sector and its institutions. Advice and comments by the Kosovo Security Council shall be considered by the Government of the Republic of Kosovo before the draft is approved by the Government and submitted to the Assembly of the Republic of Kosovo for final approval.

2.3 The Kosovo Security Council shall review the rolling ten year plan for the Kosovo Security Force prior to its being approved by the Government and subsequently submitted to the Assembly of Kosovo for final approval.

2.4 The Kosovo Security Council shall review the annual intelligence platform and strategic priorities for the Kosovo Intelligence Agency prior to its approval by the Government of Kosovo.

2.5 The Kosovo Security Council shall review the policies and strategic plans presented by the Minister of Internal Affairs pertaining to the Kosovo Police before approval by the Government of the Republic of Kosovo.

2.6 The Kosovo Security Council shall review the policies and strategic plans presented by the Minister of Internal Affairs pertaining to the Customs Services before approval by the Government of Kosovo.

2.7 The Kosovo Security Council shall review the foreign security policy, the drafts of all treaties and international agreements relevant to security, and the establishment of relations between national security agencies and foreign counterpart agencies or organizations.

2.8 The Kosovo Security Council shall submit advice to the President and the Government of the Republic of Kosovo on the proposed deployment of Kosovo security institutions and agencies on operations outside the territory of the Republic of Kosovo. Kosovo governmental security institutions and agencies shall only be authorized to serve abroad with the agreement of the recipient country, or upon invitation by international organisations to which Kosovo is or aspires to be a member of, or under a United Nations Security Council Resolution. The Assembly of the Republic of Kosovo shall consent to any proposed participation in operations prior to the deployment of personnel.

2.9 President of the Republic of Kosovo shall be entitled to submit requests for advice to the Kosovo Security Council. The Kosovo Security Council shall in a timely manner prepare and transmit such advice to the President of the Republic of Kosovo.

### **Article 3 Composition**

3.1 The Kosovo Security Council shall be composed of the following permanent members with executive authority:

- a) the Prime Minister;
  - b) the Deputy Prime Minister(s);
  - c) the Minister for the Kosovo Security Force, or in his or her absence, the Deputy Minister;
  - d) the Minister of Foreign Affairs, or in his or her absence, the Deputy Minister;
  - e) the Minister of Internal Affairs, or in his or her absence, the Deputy Minister;
  - f) the Minister of Justice, or in his or her absence, the Deputy Minister;
  - g) the Minister of Economy and Finance, or in his or her absence, the Deputy Minister;
- and*
- h) the Minister of Returns and Communities, or in his or her absence, the Deputy Minister.

3.2 If none of the Kosovo Security Council's permanent members with executive authority belongs to the Kosovo Serb Community, the Prime Minister shall appoint one additional member among the Kosovo Serb Ministers as an additional member of the Kosovo Security Council with executive authority.

3.3 Additional non-permanent, Ministerial executive members may be appointed by the Chair of the Kosovo Security Council on an *ad hoc* basis.

3.4 The Kosovo Security Council as permanent members shall also include the following members in an advisory capacity:

- a) a representative of the President of the Republic of Kosovo;
- b) the Director of the Kosovo Intelligence Agency;
- c) the Senior Advisor to the Prime Minister;
- d) the Security Advisor to the Prime Minister,
- e) General Director of the Kosovo Police;
- f) the Commander of the Kosovo Security Force;
- g) the Secretary of the Kosovo Security Council;
- h) the Director of the Department of Emergency Management of the Ministry for Internal Affairs;
- i) Director of the Customs of Republic of Kosovo

3.5 Additional non-permanent advisory members may be appointed by the Chair of the Kosovo Security Council on an *ad hoc* basis.

3.6. As observers may also participate the Chair of the Assembly Committee for Security and the Chair of the Assembly Committee on Rights and Interests of Communities.

**Article 4**  
**Chairing Meetings**

4.1 The Kosovo Security Council will work under the responsibility of the Prime Minister, who will chair its meetings.

4.2 If the Prime Minister is incapable of chairing the meeting, he may delegate his authority to one of the Deputy Prime Ministers, or in his absence to another member of the Kosovo Security Council in the order of precedence.

**Article 5**  
**Calling Meetings of the Kosovo Security Council**

5.1 The Kosovo Security Council shall set an Annual Plan and schedule no less than one meeting every three months.

5.2 The priorities for the Annual Plan shall be set out by the Kosovo Security Council.

5.3 Meetings of the Kosovo Security Council will be formally called by the Prime Minister.

5.4 The Prime Minister shall be obliged to call a meeting of the Kosovo Security Council if the President of the Republic of Kosovo or a majority of the permanent members of the Kosovo Security Council formally requests a meeting. Meetings shall be convened following notice, as defined by applicable regulations.

**Article 6**  
**Meeting Agenda**

The agenda of meetings of the Kosovo Security Council shall be defined by the Chair of the Council.

**Article 7**  
**Decision Making**

The decision-making process shall be regulated by an internal Regulation of the Kosovo Security Council.

**Article 8**  
**Reporting of the Kosovo Security Council**

The Chair is responsible for reporting the deliberations and/or recommendations of the Kosovo Security Council to the Government.

**Article 9**  
**Parliamentary Oversight of the Kosovo Security Council**

9.1 The Chair shall submit an Annual Report of Activity for the debate and approval of the relevant Parliamentary Committee of the Assembly, no later than March of the last year. The relevant Parliamentary Committee may request reports on specific activities of the Kosovo Security Council whenever deemed necessary.

9.2 The relevant Parliamentary Committee of the Assembly of the Republic of Kosovo may organize hearings on issues related to the work of the Kosovo Security Council which the Assembly wishes to raise.

**Article 10**  
**Confidentiality Obligation of the Members of the Parliamentary Committee**

10.1 Members of the Parliamentary oversight Committee shall be bound by an obligation of confidentiality with respect to information received in any form from the Kosovo Security Council, or its duly authorized representatives, which are considered as confidential according to applicable law. The obligation of confidentiality shall remain in effect after the expiration of their membership on the parliamentary oversight Committee. Any violation of the secrecy obligation may be punishable to the full extent of the law.

10.2 The Parliamentary oversight Committee shall establish written procedures, in compliance with applicable laws, to protect from unauthorized disclosure all classified information that is furnished to the Parliamentary oversight Committee, or its individual members, by the Kosovo Security Council or its duly authorized representatives.

**Article 11**  
**Publication of Decisions of the Kosovo Security Council**

11.1 Matters discussed by the Kosovo Security Council shall be classified according to the applicable law

11.2 All decisions that, under the applicable law, are not considered as confidential shall be published and made available to the public.

11.3 All members and former members of the Kosovo Security Council, including the members of the Secretariat and the Situation Centre shall have the individual legal responsibility for the disclosure and non-disclosure of information according to applicable law.

**CHAPTER II**  
**STATE OF EMERGENCY**

**Article 12**  
**Missions**

During a State of Emergency, the Kosovo Security Council shall exercise executive authority and responsibilities on behalf of the Government as set forth under Article 13 of this law, limited in time and to those actions deemed necessary to deal with the emergency situation.

### **Article 13** **Executive authority during a State of Emergency**

13.1 The Kosovo Security Council shall be vested the executive authority upon a declaration of the State of Emergency by the President of the Republic of Kosovo, in accordance with the Constitution and applicable laws.

13.2 The authority of the Kosovo Security Council during a State of Emergency shall be limited to those actions necessary to deal with the emergency, in accordance with applicable laws.

13.3 The Kosovo Security Council may delegate authority to different bodies to deal with situations during a State of Emergency, as prescribed by applicable laws.

13.4 The Kosovo Security Council shall inform the Assembly of Kosovo of its actions, as prescribed by applicable laws.

### **Article 14** **Kosovo Security Council meetings during a State of Emergency**

14.1 During a declared state of emergency, the President of the Republic of Kosovo shall Chair the Kosovo Security Council.

14.2 If the President of the Republic of Kosovo is unable to call the meeting, meetings of the Kosovo Security Council may be called at any time during a State of Emergency by the special request of the Government or the Assembly of Kosovo, by a majority vote of members present.

### **Article 15** **Composition**

15.1 During a declared State of Emergency, the Kosovo Security Council shall be composed of the President of the Republic of Kosovo, Prime Minister and Ministers of the Government, in whom executive authority shall be vested. If a Minister is not available to attend, then the Deputy Minister of shall be permitted to attend in his/her absence.

15.2 The Kosovo Security Council shall also include the following members in an advisory capacity:

- a) the Director of the Kosovo Intelligence Agency;
- b) the Senior Security Advisor to the President;
- c) the Security Advisor to the Prime Minister,

- d) General Director of the Kosovo Police;
- e) the Commander of the Kosovo Security Force;
- f) the Secretary of the Kosovo Security Council;
- g) the Director of the Department of Emergency Management of the Ministry for Internal Affairs.

### **CHAPTER III**

#### **Supporting Bodies**

#### **Article 16**

##### **Role of the Secretariat**

16.1 The Kosovo Security Council shall have its own Secretariat which shall be regulated by subsidiary legislation.

16.2 The Secretariat shall be headed by the Secretary of the Kosovo Security Council, who shall be appointed by the Senior Public Appointments Commission in accordance with the applicable law.

16.3 The Secretary of the Kosovo Security Council shall report directly to the Chair.

16.4 The Kosovo Security Council Secretariat shall be responsible for:

- a) preparing periodic reports and analysis on political-security related issues for the Government of the Republic of Kosovo and the Kosovo Security Council;
- b) coordinating the development of Kosovo's security strategy and policies, including also capacity building, policy and research instruments; *and*
- c) providing administrative and functional support for the Kosovo Security Council.

#### **Article 17**

##### **Situation Centre**

17.1 The Kosovo Security Council shall be supported by a Situation Centre which shall provide timely situational awareness and coordinate Kosovo-wide operational response activities. It shall serve as an operational centre for information gathering, basic analysis, and support of crisis management.

17.2 All relevant Ministries, security institutions, and agencies shall provide inputs to the Situation Centre.

17.3 The Situation Centre shall also be supported by representatives of the Kosovo Security Force, the Kosovo Police, and the Kosovo Intelligence Agency who shall be responsible for liaising with their respective agencies.

**Article 18**  
**Coordination Committees**

18.1 The Prime Minister shall establish an Intelligence Committee. The Intelligence committee shall be comprised of the Secretary of the Kosovo Security Council and senior representatives of Kosovo Police, Kosovo Intelligence Agency, Kosovo Security Force, the Customs Service, and of any other statutorily authorized agency or organization the mandate of which includes intelligence activities. The Committee shall report to the Kosovo Security Council and shall be chaired by the Prime Minister or his/her designate.

18.2 The Committee shall coordinate the intelligence activities of the organizations and agencies set forth in paragraph 1 of this Article for the purposes of:

- a) ensuring that the policies of the Government in intelligence sector are being carried out according to the priorities set;
- b) ensuring efficient inter-agency cooperation and the sharing of intelligence;

18.3 The Kosovo Security Council may establish ad-hoc committees, which will report to the Kosovo Security Council.

**CHAPTER IV**  
**FINAL AND TRANSITIONAL PROVISIONS**

**Article 19**  
**Qualifications for Employment in the Situation Centre and the Secretariat of the Kosovo Security Council**

In addition to the normal requirements for employment in the Kosovo Civil Service, the employees of the Situation Centre or the Secretariat of the Kosovo Security Council shall possess an appropriate security clearance, issued in accordance with applicable laws.

**Article 20**  
**Transitional Provisions**

20.1 The Kosovo Security Council shall exercise its functions without prejudice to the specific mandates of international organizations as provided for by the status settlement and the Constitution.

20.2 Pending the approval of a security clearance procedure as mentioned in Article 19 of this Law, an employee of the of the Situation Centre or the Secretariat of the Kosovo Security Council may be issued with a provisional security clearance, valid up to 6 months, provided that such employee has submitted a completed security clearance questionnaire. The provisional security clearance may be renewed once, for a period not to exceed an additional six months.



20.3 Paragraph 2 of this Article only applies to individuals employed by the Situation Centre or the Secretariat of the Kosovo Security Council prior to the implementation of the security clearance procedure.

**Article 21**  
**Final Provisions**

The budget of the Kosovo Security Council shall be presented by the Secretary of the Kosovo Security Council and approved by the Assembly of Kosovo, in accordance with the applicable law.

**Article 22**  
**Entry into Force**

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

**Law No. 03/L-050**  
**13 March 2008**

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

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**Jakup KRASNIQI**

Fonti Book Antiqua: 16p, 13p,12p