



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

Law No.03/L –235

**ON AMENDING AND SUPPLEMENTING THE LAW NR.03/L-132
ON THE STATE PROTOCOL OF THE REPUBLIC OF KOSOVO**

The Assembly of Republic of Kosovo;

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

Adopts:

LAW ON AMENDING AND SUPPLEMENTING THE LAW NR.03/L-132 ON THE STATE PROTOCOL OF THE REPUBLIC OF KOSOVO

Article 1

After Article 5 of the Law in force, a new Article 5A shall be added as follows:

Article 5A

Accreditation of the Head of a Diplomatic Mission

1. Pursuant to the Constitution of the Republic of Kosovo and instruments and international practices, a foreign Ambassador shall be accredited by the President of the Republic of Kosovo as a representative of his/her respective Head of State.
2. The procedure shall commence with the receipt of the request, in the form of the diplomatic note for Agreement; afterwards the State Protocol shall prepare an assessment briefing, which together with the respective *Curriculum Vitae* shall be submitted to the President of the Republic.
3. After issuing the Agreement by the Office of the President, the State Protocol is obliged to inform the embassy of the state that submitted the request on the position of the Republic of Kosovo as well as our representative mission in that state in case of

presence. In general, this procedure demands thirty (30) working days or the principle of reciprocity shall be implemented.

4. The arrival of the new Ambassador shall be subject to special rules implemented by the diplomatic ceremony of the State Protocol.

5. The time of arrival of the Ambassador shall be registered because it determines the order of presentation of Credentials. If the Protocol is not informed of its arrival, than the time of arrival shall be considered when the respective embassy issues a notice, through a verbal note, for the arrival of its head. From this point forward, he shall be considered as an Ambassador designate and within few days (no longer than 10 days), the Director of State Protocol (or the Deputy) shall expect him/her to receive copies of Credentials and the invitation of the predecessor. During this period, the new Ambassador may meet members of the Diplomatic Corps, officers of the Ministry of Foreign Affairs and other non-formal persons, but meetings with members of the Government, the Assembly and Presidency are not recommended.

6. As soon as the Presidency sets the date for the ceremony of accreditation, the State Protocol shall inform the Ambassador. The respective note shall define, apart from the ceremony, the place where the Ambassador shall be escorted from to the Ceremony and one or two of his/her associating collaborators.

7. The following attire is recommended: black or dark grey suit, white shirt, black shoes or national attire.

8. From the time of the presentation of Credentials the new Ambassador shall enjoy its diplomatic status.

9. The news for the accreditation of the Ambassador shall be immediately published in the coming edition of the Official Gazette. The Office of the President of the Republic of Kosovo shall ensure this.

10. Within a month or two from the day the credentials are submitted, the new Ambassador shall be invited, along with one or two (2) other ambassadors, for a courtesy lunch or dinner by the Minister of Foreign Affairs.

11. In cases when the Head of Mission departs for short periods or when the post remains vacant, the mission shall inform the State Protocol on this event through a verbal note stating the date of departure and the name of the Charge D'Affairs deputizing. Immediately after the return of the Head of Mission, the State Protocol shall be informed on the date his/her functions resume.

Article 2

The Title and Article 6 of the Law in force shall be amended to read, as follows:

Article 6

Presentation of Credentials to the President of the Republic

1. The State Protocol shall inform the respective embassy with regards to the decision of the President on the date, time and location of presentation of Credentials to the President of the Republic by the new Ambassador.
2. The Director of State Protocol shall escort the Ambassador to a reception room, whereby the Ambassador shall sign the Guests Book and stay for few moments for a brief talk. Afterwards the Director of Protocol shall escort him/her to the main ceremony room.

Article 3

After Article 6 of the Law in force, a new Article 6A shall be added, as follows:

Article 6A

Official Meetings of the Head of Mission

1. After the presentation of Credentials, the new Ambassador shall inform the Dean of the Diplomatic Corps and all foreign missions on the day of presentation of Credentials and the commencement of performance of his/her functions.
2. The new Ambassador shall make an official request for a meeting with the Speaker of the Assembly, the Prime Minister, members of the Government Cabinet and Mayor of Prishtina. None of the abovementioned high personalities shall visit the new Ambassador at his residence.
3. The spouse of the new Ambassador shall request a meeting with the First Lady, in her/his absence the spouse of the Prime Minister, and the spouse of the Minister of Foreign Affairs. The First Lady (or in her/his absence the spouse of the Prime Minister) shall invite for courtesy meetings in groups of two or three, the spouses of new ambassadors on few occasions during the year.

Article 4

After Article 7 of the Law in force a new Article 7A shall read as follows:

Article 7A
**Commencement of the Duty of the Diplomat, Military Attaché, Consul and
Functionary of International Organisations**

1. A verbal note shall be sent to the Office of State of Protocol informing on the commencement of the duty of a diplomat, including the position of the newly-arrived diplomat, the person being replaced or the new position. The Verbal Note shall include an attached form prepared by the Ministry of Foreign Affairs.
2. The accreditation of a Military Attaché shall follow the same procedure as applied to the Agreement, whereas protocol consultations shall be conducted with respective structures of the Ministry of Kosovo Security Force. Notice on admission shall only be made after the consent reached at the end of these consultations.
3. The notice on the arrival of military attaché shall be made by the mission prior to his/her arrival, through a verbal note specifying the full name, the exact qualification, the person being replaced and his/her CV. The mission shall wait for the approval by the Ministry of Foreign Affairs prior to the commencement of his/her functions.
4. The notice for the commencement of office for the Head of Consulate shall be made through a verbal note addressed to the State Protocol and the respective unit for Consular issue of the Ministry of Foreign Affairs, specifying the territory, location and the address of the city where the consular functions will be performed.
5. Honorary Consuls, who are statesmen of Kosovo, or have a double nationality, shall enjoy a specific status. They shall perform their diplomatic mission on voluntary basis, while being allow to continue performing their private activity simultaneously.
6. Proposals for Honorary Consuls shall be made through an official request made by the diplomatic mission accredited in Kosovo or directly by the Ministry of Foreign Affairs of the state requesting it and shall be approved by the competent authorities of the Republic of Kosovo.
7. The following are excluded from the possibility of becoming Honorary Consuls:
 - 7.1. nationals of Kosovo selected in representative bodies of the Republic of Kosovo;
 - 7.2. individuals working in state institutions with functions that are incompliant with this duty on the basis of the law;
 - 7.3. persons exercising the duty of the judge or prosecutor and intelligence services.

8. International Organisations shall inform of their first category functionaries in the same form as applied for diplomatic missions, by following the same procedures, under otherwise provided for by a law of the Republic of Kosovo.

Article 5

Article 8 of the Law in force shall include a new paragraph, as follows:

2. The Diplomat shall be equipped by the respective Ministry of Foreign Affairs of sending state with the respective letter to be addressed to the Ministry of Foreign Affairs of the Republic of Kosovo including the responsibility of the office commissioned. It shall be submitted to the State Protocol. The President of the Republic of Kosovo shall approve the mission and decree its accreditation.

Article 6

In Article 20 of the Law in force words ‘The President of the Republic’ in the title of the Article and in the first paragraph shall be substituted with words ‘The President of the Republic’.

Article 7

Article 20 of the Law in force a new paragraph 4, after paragraph 3, shall be added, as follows:

4. Government upon proposal of the State Protocol approves the sub-legal act to determine the criteria for setting the picture of the President.

Article 8

1. In Article 22 of the Law in force, a new paragraph 3, after paragraph 2, shall be added, as follows:

3. The First Lady shall associate the President of the Republic in state visits abroad, conduct visits in the capacity of the First Lady on her own, organize various public and private ceremonies of social, humanitarian and patriotic nature, maintain contacts with first ladies of other states, but may not participate in the official responsibilities and meetings of the President of the Republic.

2. Other paragraphs of this Article of the law in force shall change the alignment for a number.

Article 9

Article 24, paragraph 2 of the Law in force shall be amended to read, as follows:

2. President of the Republic shall receive high-level dignitaries in other premises such as the Residency of the President. The same honoring ceremonies may be organised in these premises as the ones organised by the protocol of the Presidency in cooperation with the State Protocol.

Article 10

In Article 24 of the law in force, after paragraph 3, the following new paragraphs 4, 5, 6 and 7 shall be added:

4. If the visitor is a Head of State in a state visit, a honoring ceremony shall be organised in the Airport or the Residency of the Presidency on the basis of the scheme approved earlier by the State Protocol and the Protocol of the Presidency.

5. Two (2) hours after the arrival of the Head of State, his/her national flag shall be raised in a certain location on the left hand side of the flag of Kosovo. The flags of both states shall be placed in the meeting room or in smaller sizes in the meeting table.

6. If the Head of State is not paying a state visit (transit, private, multilateral), then a honoring ceremony shall not be organised. The President of the State shall receive him, at the entrance of the Residence and escort him inside the premises. The foreign visitor shall be honored by the honorary guard. The departure shall be organised in the same way as the arrival.

7. In cases when no official talks are being held, the meeting shall take place in the reception room sitting in faldstools. The form of participation shall be determined earlier by the Protocol of the President. State ceremonies shall be led by the State Protocol.

Article 11

Article 34 paragraph 1 of the Law in force shall be amended entirely to read, as follows:

The Very Important Persons Pristine Airport hall is composed of the two or more environments. Government upon proposal of the State Protocol approves the sub legal act to determine the procedure for the use of the airport room for Very Important Persons (VIPs²).

Article 12

Article 41 of the Law in force shall be amended entirely to read, as follows:

1. In the Republic of Kosovo, the order of priority of official ranks is regulated in three (3) main groups, as follows:

1.1 Group I

1.1.1 President of the Republic of Kosovo;

1.1.2 President of the Assembly;

1.1.3 Prime Minister;

1.1.4 President of the Constitutional Court;

1.1.5 Former Presidents of the Republic.

1.2. Group II

1.2.1. Deputy Presidents of the Assembly;

1.2.2. Deputy Prime Ministers;

1.2.3 Ministers;

1.2.4 Mayor of the Capital;

1.2.5 Deputies;

1.2.6 President of the Kosovo Supreme Court;

1.2.7 President of the Kosovo Judicial Council;

1.2.8 President of the Kosovo Prosecutorial Council;

1.2.9 Commander of the Kosovo Security Forces;

1.2.10 Commander of the Guard of the Republic;

1.2.11 State Prosecutor;

1.2.12 Director General of the Kosovo Police;

- 1.2.13 Director of the Kosovo Intelligence Agency;
- 1.2.14 Governor of the Central Bank of the Republic of Kosovo;
- 1.2.15 President of the Academy of Science and Arts of Kosovo;
- 1.2.16 Rector of the public university;
- 1.2.17 Mayors of the Municipalities;
- 1.2.18 Head of the international mission in Kosovo;
- 1.2.19 Presidents of the Assembly Parties;
- 1.2.20 Ambassadors of the foreign countries accredited in Kosovo;
- 1.2.21 Kosovo Ambassadors – Heads of Missions;
- 1.2.22 Former Prime Minister;
- 1.2.23 Judges of the Constitutional Court;
- 1.2.24 Presidents of the Assembly Committees;
- 1.2.25 Presidents of the Assembly Groups;
- 1.2.26 Judges of the Supreme Court;
- 1.2.27 Ombudsperson;
- 1.2.28 Auditor General of Kosovo;
- 1.2.29 Chiefs of the Cabinet of the President, Prime Minister and President of the Assembly
- 1.2.30 Senior Political Advisors of the President, Prime Minister and President of the Assembly;
- 1.2.31 Heads of the religious communities in Kosovo;
- 1.2.32 Deputy Ministers;
- 1.2.33 General Secretaries of the President, Office of the Prime Minister and Assembly;
- 1.2.34 Charge d'affaires of the foreign countries accredited in Kosovo;

1.3 Group III

- 1.3.1. Presidents of the Non-Parliamentary Parties;
- 1.3.2. Deputy Commander of the Kosovo Security Forces;
- 1.3.3. Generals of the Kosovo Security Forces;
- 1.3.4. Generals of the Kosovo Police;
- 1.3.5. Deputy Director and Inspector General of the Kosovo Intelligence Agency;
- 1.3.6. Senior Political Advisors of the Ministers;
- 1.3.7. Heads of the Independent Agencies;
- 1.3.8. Heads of the Independent Institutions;
- 1.3.9. General Secretaries of the Ministries and equal positions;
- 1.3.10. Directors of the Offices of the Prime Minister, Presidency and Assembly;
- 1.3.11. Representatives of martyr's family members of Kosovo;
- 1.3.12. Prominent representatives of the literature, art, science and civil society;
- 1.3.13. President of the War Veterans Society;
- 1.3.14. Presidents of the Courts;
- 1.3.15. Director of the State Protocol.

Article 13

Article 43 of the Law in force shall include a new paragraph to read, as follows:

2. The Capital shall hold a special status unlike other cities.

Article 14

This Law shall enter into force fifteen (15) days from its publication in the official gazette of the Republic of Kosovo.

Law No. 03/L-235
28 October 2010

Member of the Presidency of the Assembly

Xhavit Haliti