



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

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**Law No.04/L-073**

**ON ASYLUM**

**Assembly of Republic of Kosovo,**

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

Approves:

**LAW ON ASYLUM**

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

**Article 1**  
**Purpose of the Law**

This Law shall regulate granting of asylum and recognition of status of refugee, granting the status of additional or temporary protection to persons who need it as well as their return in the country of origin, descent or in a third country.

**Article 2**  
**Definitions**

1. Terms used in this Law shall have the following meaning:

- 1.1. **Ministry** – the relevant Ministry of Internal Affairs;
- 1.2. **DCAM** – the Department for Citizenship, Asylum and Migration within MIA;
- 1.3. **DMF** – the Directorate for Migration and Foreigners in Kosovo Police;
- 1.4. **UNHCR** –the high commissariat of United Nations for assistance of refugees;
- 1.5. **Asylum seeker** – every foreign citizen or stateless person who submits an application for asylum and for whom the decision is not taken yet;
- 1.6. **Family members** - members of asylum seeker as below, to beneficiaries of the refugee status or of additional protection status, who are present in the territory of the Republic of Kosovo, due to the request for international protection, provided that the family is created in the place of origin, spouse of asylum seeker, of the beneficiary of the status of refugee or the status of additional status or of his unmarried partner, but engaged in a sustainable relation, if the legislation or the practice into force of the Republic of Kosovo assimilates the situation of unmarried couples with married couples in the framework of the legislation on foreigners, above mentioned child of couple of the asylum seeker, of the beneficiaries of the status of refugee or the status of additional protection, provided to be unmarried and in its dependency, regardless if they are legitimate, born out of wedlock or adopted according to the national legislation.
- 1.7. **Unaccompanied minors** - the foreign citizens or stateless persons, under age of eighteen (18), who enter in the territory of the Republic of Kosovo without being accompanied by an adult person, responsible for him, according to the Law or customary tradition, unaccompanied minor includes minors left alone after the entry in the territory of Kosovo.

### **Article 3** **Asylum**

1. Republic of Kosovo shall grant asylum to refugees, upon their application, in compliance with this Law.
2. Asylum shall imply protection and the status that is granted in Kosovo, to persons who are located in Kosovo, due to their quality of refugee. Asylum shall imply also the right of stay in Kosovo.

#### **Article 4 Refugee**

1. Refugees shall be persons, who in their country of origin or in their last dwelling have based fear to be exposed to prosecution on account of race, religion, and nationality, membership in a particular social group or political persuasions. Furthermore, taking in to the consideration the fear, this person was not able to benefit from the protection of the country of origin or of descent.

2. There shall be considered as serious violations placing life in danger, bodily integrity or the freedom, as well as the acts that cause irresistible psychological pressure. There should be taken into consideration specific motivations for removal of women.

#### **Article 5 Temporary protection**

Republic of Kosovo may provide temporary protection to persons that should be protected for as long time as they are exposed to a general grave danger, especially during war or a civil war or during situations of general violence.

#### **Article 6 Additional protection**

1. Additional protection shall be the protection that is granted to the persons of a third country or a stateless person for whom, although does not meet the criteria of determination of refugee status, there are serious and grounded justifications of thought that in case of his return in the country of origin or descent, he will be really risked to be faced with grave violations as follows:

1.1. death penalty or execution; or

1.2. torture, inhuman or degrading treatment or punishments made to the person in the country of origin ; or

1.3. grave and individual threats against life or the person due to a blind violence or in case of national or international armed conflict.

#### **Article 7 Non return principle**

1. No one can be forced, in any manner, to be returned in a country where his life, his bodily integrity or freedom will be posed in danger for one of the motives stipulated in paragraph 1 of Article 4 of this Law..

2. Benefits from the non return principle cannot be claimed by the person for which is assumed that jeopardizes the national security of Kosovo or, if due to his punishment for a crime or grave violation with a final decision, he is considered as dangerous for the population of Kosovo.

**Article 8**  
**Rules of procedures**

Unless is otherwise regulated by this Law, the asylum procedure shall be pursuant to the Law on Administrative Procedure.

**CHAPTER II**  
**ASYLUM SEEKERS**

**SUB-CHAPTER I**  
**GENERAL**

**Article 9**  
**Competent body**

Department for Citizenship, Asylum and Migration shall decide on granting or refusing the asylum as well as for removal of asylum seeker from Kosovo.

**Article 10**  
**Countries of origin, descent or third safe countries**

1. Government of Kosovo shall determine:

1.1. countries of origin or of descent that are considered safe, namely those countries in which estimates that the asylum seeker is protected by prosecution;

1.2. secure countries, are those countries in which government estimates that is respected in practice the principle of non return (non refoulment), pursuant to paragraph 1 of Article 7 of this Law.

2. Decisions taken pursuant to paragraph 1 of this Article shall be subject of periodical review.

**Article 11**  
**Proof of refugee quality**

1. Anyone who seeks asylum shall prove or at least make reliable his quality as refugee.
2. The qualification of refugee shall be considered reliable when the competent body estimates that this is possible.
3. There shall not be considered as reliable sayings which, in crucial points, are not grounded, are contradictable, do not correspond with facts or are based in false or counterfeited evidence means.

**Article 12**  
**Obligation to cooperate**

1. The asylum seeker shall be obliged to cooperate to ascertain facts. In particular, he should:
  - 1.1. declare his identity;
  - 1.2. make available travel and identity documents;
  - 1.3. present, during the hearing session, the reasons that have driven him to seek asylum;
  - 1.4. make available evidence means in use, or to provide them in a reasonable term, to the extent it can be required by him;
  - 1.5. cooperate for obtaining biometric data.
2. Exceptionally there may be required from the asylum seeker to translate in an understandable language the documents submitted by him but which are drafted in another language.
3. The asylum seeker must remain available for the competent authorities on asylum issues, throughout the asylum procedure. He should immediately communicate his address and any change to it.
4. Asylum seeker, who is subject to execution of a final decision, should cooperate in finding the documents of his identification.

**Article 13**  
**Control**

1. Competent body, in accordance with respective Laws, shall have the right to examine the asylum seeker who is housed in the centre for asylum, in a collective or private accommodation, as well as his personal belongings in order to search for travel documents, identity documents, dangerous objects, drugs or the national assets of doubtful origin.
2. The asylum seeker can be controlled only by a person of the same gender.

**Article 14**  
**Finding and confiscation of documents**

1. DCAM shall put in a dossier the travel and identity documents of the asylum seeker.
2. State bodies shall submit to DCAM travel and identity documents, as well as every type of document that provides information concerning the identity of the asylum seeker.
3. If the competent authorities and state bodies that have captured documents in support of paragraph 2 of this Article verify their authenticity, shall transmit the result of this examination to DCAM.
4. DCAM or national commission that reviews appeals shall have the right to capture or confiscate fake documents, altered and counterfeit or original but abused documents and in the right case should submit them to the issuing body.
5. Passports and identity documents that had been issued by the country of origin to persons with refugee status in Kosovo shall be seized and submitted to DCAM.

**Article 15**  
**Notification address**

1. Any notification or communication made in the last address of asylum seekers or his legal representative, recognized by competent authorities, shall be legally valid.
2. The competent body shall notify the asylum seekers on the decision and the asylum seeker shall confirm in writing the receipt of decision.
3. If the asylum seeker is represented by more than a legal representative who did not give a common notification address, the competent body shall make notification of the decision to the first legal representative assigned by the asylum seeker.

**Article 16**  
**Relation with the procedure derived from the Law on Foreigners**

1. Unless in cases when asylum seeker has the right for stay provided by this Law, the asylum seeker cannot start the procedure that aims obtaining the stay permit in support of the Law on foreigners in the following cases:

1.1. from the moment of submission of application for asylum to the moment when asylum seeker leaves Kosovo, as a consequence of an executive decision;

1.2. after voluntary withdrawal of the asylum application;

1.3. if the departure from Kosovo can not be executed and this is replaced by an additional protection.

2. In exceptional cases, DCAM may grant stay permit to persons if the following conditions are fulfilled:

2.1. person concerned stays in Kosovo at least five (5) years from the date of submission of the asylum application;

2.2. dwelling of the person has always been known by authorities;

2.3. in case of advanced integration of the person.

3. Commenced procedures which aim to obtain stay permit according to the Law on foreigners shall be annulled in case of submission of an asylum application.

4. Stay permit granted before shall preserve its validity and may be re extended according to the Law on foreigners.

**Article 17**  
**Language of procedure**

Any kind of official application made during the asylum procedure shall be addressed to the competent authorities in one of the official languages of Kosovo.

**Article 18**  
**Supplementary Provision**

1. Government shall issue sub-legal acts in relation to the asylum procedure, particularly bearing in mind the situation of the women asylum seekers, minor asylum seekers and persons with psychic and physical disabilities.

2. Competent bodies shall immediately appoint a legal representative person who represents the interests of unaccompanied minor asylum seekers and of persons with mental and physic disabilities, as long as the asylum procedure lasts.

3. Government shall foresee the opportunity and the means to urge a legal counsellor or legal representative in the regional offices and in the asylum centre.

## **SUB-CHAPTER II ASYLUM APPLICATION AND ENTRY IN KOSOVO**

### **Article 19 Asylum application**

It shall be considered as asylum application any expression of will through which a person requires from Republic of Kosovo to protect him by prosecutions.

### **Article 20 Submission of application**

Asylum application shall be submitted upon entry in Kosovo, in a border crossing point, in a police station or in DCAM.

### **Article 21 Asylum application submitted in border, after the capture near border, or upon illegal entry in Kosovo**

1. Competent authorities shall lead the person who has sought asylum in border, near the border upon illegal entry, or in Kosovo, in an asylum centre.

2. Dossier of the asylum seeker (initial form, finger prints, photography, evidence means, and identity documents) shall be immediately transferred in a sealed envelope to the DCAM.

3. At the time of submission of application for asylum, the competent authority shall inform the asylum seeker concerning his rights and obligations during the asylum procedure.

4. Ministry of Internal Affairs shall issue sub-legal acts to specify the asylum procedure and forms to be used.



**SUB-CHAPTER III  
PROCEDURE OF THE FIRST INSTANCE**

**Article 22  
Asylum Centre**

1. Government shall establish asylum centres, whose administration shall be entrusted to the respective Ministry.
2. The Ministry shall draft the regulation regarding the asylum centre aiming to be ensured its well functioning and to be guaranteed regular procedures.

**Article 23  
Distribution of asylum seekers in Kosovo**

1. Government shall determine distribution criteria of asylum seekers throughout the municipalities of Kosovo.
2. Asylum seeker may file complain against this decision only in case of violation of the principle of family unity.

**Article 24  
Designation of a dwelling and housing**

1. DCAM shall determine a dwelling for the asylum seeker taking into the consideration legitimate interests of the municipality and of the asylum seeker. Asylum seeker may file complain against this decision if it is violated the principle of family unity.
2. Upon opportunities for housing, DCAM shall decide on the housing of asylum seeker in the asylum centre, in a private flat or collective one. The authorities shall guarantee their safety, by issuing special acts and by taking appropriate measures.

**Article 25  
Hearing session regarding the asylum motives**

1. DCAM shall hear the asylum seeker regarding his motives for asylum in a hearing session.
2. DCAM shall urge the services of an interpreter, aiming to ensure to the asylum seeker the procedure in the language that he/she understands.

3. Asylum seeker shall have the right to be accompanied by a legal representative, Lawyer and by an interpreter, chosen by him, provided that the latter is not an asylum seeker.

4. In special cases, asylum seeker shall have the right to be interviewed by an official of the same gender. This is applied as well as for the interpreter.

5. Hearing session shall be held in a procès-verbal. The procès-verbal of the session shall be signed by all persons who participate in the session.

### **Article 26** **Representative of the organizations for helping refugees**

1. Authorized Refugee Aid Organizations shall send one of their representatives in the hearing session provided in Article 25 of this Law, if the asylum seeker has no objection.

2. The government shall determine conditions of authorization for Refugee aid organization. The authorization shall be issued by the Ministry of Internal Affairs. Aid Organization shall coordinate their presence in the hearing sessions.

3. DCAM shall communicate the date of sessions in time. Hearing session shall have full judicial effect, even if the refugee aid organization does not respond to the invitation for participation.

4. The representative of the refugee aid organization shall participate in the session in the quality of an observer, and not as a party and shall preserve the professional secret. He shall confirm his presence by signing the procès-verbal of the hearing session. With the permit of the session chairman, he may require to be asked to clarify facts, to suggest clarifications and to formulate remarks about the procès-verbal.

### **Article 27** **Role of Senior Commissariat Office of United Nations for Refugees**

Office of High Commissariat of United Nations for Refugees shall help the competent state authorities in the field of asylum for performing their duties, in relation to the implementation of the Convention of year 1951 and the protocol of year 1967 on the status of refugees and other international instruments that deal with refugees as well as the Convention of year 1954 regarding the Status of Stateless persons.

**Article 28**  
**Grounds for ceasing the asylum procedure**

1. Asylum application shall be ceased if the asylum application is not in compliance with Article 19 of this Law.
2. Asylum application shall be ceased if:
  - 2.1. the asylum seeker has defrauded competent authorities regarding his identity, found fraud on the basis of a dactyloscopy dactilostopie examination or other evidence means;
  - 2.2. the asylum seeker has violated the obligation to cooperate;
  - 2.3. the asylum seeker has been subject of an asylum application in Kosovo for which is granted a crucial negative decision or it is returned in the country of origin during the asylum procedure;
  - 2.4. asylum seeker has been subject, in one of the countries that apply international conventions regarding refugees, of an asylum procedure that has terminated with a negative decision, unless when hearing session results to have happened new facts about the determination of the status of the refugee or the additional protection in this period of time.

**Article 29**  
**Termination of the asylum procedure in case of a late submission of an asylum application**

1. Asylum procedure of an asylum seeker who stays illegally in Kosovo shall be terminated if that application is submitted with the intention for the person to avoid the execution of the final decision for his immediate departure or of his return in his country of origin or descent.
2. Such an intention shall be presumed when the application for asylum is prior or pursues the arrest, criminal procedure, execution of a punishment or a decision for return.
3. Paragraph 1 of this Article shall not be applicable if:
  - 3.1. asylum seeker has failed to faster submit the application for asylum or it may not be required in more reasonable manner for him to submit the application faster;
  - 3.2. exist signs of prosecution.

### **Article 30**

#### **Termination of asylum procedure in absence of risk for prosecution outside Kosovo**

1. If the asylum seekers come from a country in which he is not risked at being prosecuted, in terms of sub-paragraph 1.1 of paragraph 1 of Article 10 of this Law, DCAM shall terminate the asylum procedure, unless when exist prosecution signs.
2. As a general rule, DCAM shall terminate the asylum procedure if:
  - 2.1. asylum seeker can be returned in a secure third country in terms of, and sub-paragraph 1.2 of paragraph 1 of Article 10 of this Law, in which he has resided previously;
  - 2.2. asylum seeker can be returned in a third country, in which has resided before coming into Kosovo, which respects in the case in question, the principle of non return defined in paragraph 1 of Article 7 of this Law.
  - 2.3. asylum seeker can continue his journey towards a country in which has a valid visa and in which may ask for protection;
  - 2.4. asylum seeker can be returned in a third competent country, in supporting an international agreement, to review the asylum procedure and the return of the person;
  - 2.5. asylum seeker can continue his journey towards a third country, in which country live his relatives with whom he maintains close relations.
3. Sub-paragraphs 2.2, 2.3, 2.4, 2.5 of paragraph 2 of this Article, shall not be applied if:
  - 3.1. relatives of the asylum seeker with whom he has close relations live in Kosovo;
  - 3.2. asylum seeker has explicitly the quality of a refugee in terms of Article 3 of this Law;
  - 3.3. DCAM is aware about facts according to which the third country does not provide efficient protection regarding the non return principle in terms of Article 7 of this Law.

**Article 31**  
**Termination of asylum procedure after the removal of temporary or additional protection**

Asylum application submitted after removing the temporary or additional protection shall not be reviewed if at the time of granting the right for hearing to the person does not result any prosecution sign in terms of Article 4 of this Law.

**Article 32**  
**Cease of procedure in case of submission of new asylum application**

1. Asylum procedure shall be considered to be reopened when an asylum seeker, application of whom is reviewed, submits a new application for asylum.
2. DCAM shall not review the application stipulated in paragraph 1 of this Article, unless where there exist new facts that are decisive about the quality of the refugee or for granting additional or temporary protection.
3. Asylum seeker shall have the right to withdraw voluntarily the application for asylum. Consequently, the asylum procedure shall cease.

**Article 33**  
**Procedure that precedes the decisions for terminating the procedure**

1. In case of taking a decision for terminating the procedure, the procedure that shall precede is as in following:
  - 1.1. hearing session in terms of Articles 25 and 26 of this Law shall be developed in below cases:
    - 1.2. for paragraph 1 of Article 28, paragraph 1 of Article 29 and sub-paragraphs 2.1, 2.2, 2.3 and 2.5 of paragraph 2 of Article 30 of this Law;
    - 1.3. for sub-paragraph 2.3 of paragraph 2 of Article 28 of this Law, when asylum seeker is returned in Kosovo after having gone in the country of origin or his descent;
    - 1.4. for paragraph 2 of Article 30 of this Law , if the hearing session is not made in the framework of the previous procedure, or if the person concerned, during his right to be heard, provides new reasons for determination of the status of refugee or for granting temporary protection.
2. In all other cases foreseen in Articles 28, subparagraph 2.4 of paragraph 2 of Article 30 and Article 31 of this Law, to the asylum seeker shall be granted the right to be heard.

**Article 34**  
**Granting asylum without undertaking other investigative measures**

1. Asylum shall be granted to the asylum seeker, at the end of the hearing session and without undertaking other investigative measures, if:

- 1.1. he proves his quality as a refugee or makes it more reliable, and
- 1.2. do not exist exceptional motives stipulated in Article 46 of this Law.

**Article 35**  
**Granting temporary protection without undertaking investigative measures**

If from evidences collected before or during the hearing session results clearly that the asylum seeker belongs to a group of people to be taken into protection, defined in Article 5 of this Law, the temporary protection shall be granted without undertaking investigative measures.

**Article 36**  
**Refusal of application without undertaking other investigative measures**

1. Application for asylum shall be refused without undertaking investigative measures if:
- 1.1. from the hearing session results clearly that the asylum seeker has failed to prove his quality as a refugee, or to make it more reliable, and
  - 1.2. no reason hinders his departure from Kosovo.

**Article 37**  
**Other investigative measures**

1. If it's not possible to be taken any kind of decision pursuant to Articles 34, 35 and 36 of this Law, DCAM shall undertake other investigative actions:

- 1.1. DCAM may require additional information from the consular representations of Kosovo, to consult the opinion of an expert, to hear again the asylum seeker, and to make additional questions or to undertake other investigative actions; the procedure shall be regulated in accordance with Article 25 and 26 of this Law.
2. Government may sign cooperation agreement with third countries and international organizations aiming to facilitate collection of facts. These agreements may foresee in particular the exchange of information aiming to define reasons of the asylum seeker to

be removed from his country of origin or descent, of the journey itinerary and in the countries in which he has stayed.

**Article 38**  
**Terms of procedures of the first instance**

1. In principle asylum procedure shall last 6 (six) months since the day of the submission of application for asylum.
2. Decision for termination of procedure should be taken within 10 (ten) working days since the day of submission of application for asylum. Decisions shall be briefly justified.
3. Decisions taken pursuant to Articles 34 to 36 of this Law, shall, as a general rule, be taken within 30 (thirty) working days since the date of submission of the application for asylum.

**SUB-CHAPTER IV**  
**STATUS OF ASYLUM SEEKERS DURING THE ASYLUM PROCEDURE**

**Article 39**  
**The right for stay during the asylum procedure**

Any person who submits asylum application in Kosovo shall have the right to stay in its territory until the termination of the asylum procedure.

**Article 40**  
**Permission to exercise profitable activities**

1. During 6 (six) months since the day of submission of the application for asylum, asylum seeker shall not have right to exercise profitable activity.
2. Criteria for exercising profitable activities shall be regulated by the Law on Foreigners and the legislation into force.
3. If the application for asylum is refused and the decision for departure is executable, the permit to exercise profitable activity shall terminate at the time of deadline for departure that is given to the asylum seeker, although he could have requested for a review and the execution of departure is suspended.

**SUB-CHAPTER V**  
**EXECUTION OF DECISION AND REPLACEMENT MEASURES**

**Article 41**  
**Return and additional protection**

1. If the application for asylum is refused or is interrupted, DCAM shall decide, as a general rule, the return from Kosovo and shall order the execution of the decision. DCAM shall take into consideration the principle of family unity.
2. If the execution of the return is considered as illegal, unreasonable or technically impossible, DCAM shall regulate the conditions of stay pursuant to legal provisions of the Law on Foreigners for additional protection.

**Article 42**  
**Content of the decision for return**

1. Clause of the decision for return shall contain:
  - 1.1 obligation of the asylum seeker to be removed from Kosovo;
  - 1.2. the date on which he should be removed; if the additional protection is granted, the deadline for removal is appointed at the time when additional protection is removed;
  - 1.3. coercive measures, if the asylum seeker refuses to be removed;
  - 1.4. if it is necessary, countries in which the asylum seeker cannot be returned;
  - 1.5. in necessary case, the additional measure that replaces the removal;
  - 1.6. competent body that executes the decision or the additional measure.

**Article 43**  
**Unknown dwelling**

If the person that should be removed avoids the execution of the decision by hiding his dwelling, DCAM shall require his registration in the system of police research.



**CHAPTER III  
GRANTING ASYLUM AND STATUS OF REFUGEE**

**SUB-CHAPTER I  
GRANTING ASYLUM TO FAMILIES**

**Article 44  
Principles**

Asylum shall be granted to persons who have the quality of the refugee, provided that there are no exceptional grounds foreseen in Article 46 of this Law.

**Article 45  
Asylum granted to families**

1. The spouse of a refugee as well as their minor children shall be recognized as refugees and shall obtain the status of asylum, provided that no particular circumstance is in contradiction.
2. Members of family of a refugee that live in Kosovo may profit from the asylum that is granted to families, provided that particular reasons are in favour of family unification.
3. Children born in Kosovo by refugee parents shall obtain the status of refugee, for long as any particular circumstance does not contradict.
4. If persons who benefit from this right defined in paragraphs 1 and 2 of this Article are divided during the removal from the country and are found elsewhere, the entry in Kosovo shall be allowed.

**Article 46  
Insensitivity**

1. The asylum shall be refused to a person, for who there exist serious reasons to be thought that:
  - 1.1. has committed crime against peace, war crime, or crimes against humanity in terms of the international provisions that stipulates these crimes;
  - 1.2. has committed punishable serious crimes, outside the Republic of Kosovo before their admittance as refugees ;

1.3. is convicted for actions that are in contrary with aims and principles of United Nations.

1.4. has violated or posed to threat the internal or external security of Kosovo .

**Article 47**  
**Distribution and integrating initial measures**

1. Distribution of refugees in Kosovo shall be made according to Article 23 of this Law.
2. Government, may, within the limits of initial integration, make available to refugees a temporary accommodation, in particular in an integrating centre.

**SUB-CHAPTER II**  
**STATUS OF REFUGEES**

**Article 48**  
**Principle**

The rights and obligations deriving from the status of refugee in Kosovo shall be regulated by the applicable legislation on foreigners, unless in cases where precede special provisions, in particular provisions of Law on Asylum or provisions of the Convention of 28 of July 1951 regarding the status of refugee.

**Article 49**  
**Consequences**

Anyone who has acquired asylum in Kosovo shall be considered, by authorities, as refugee in terms of Law on Asylum and Convention of year 1951 and protocol of year 1967 regarding the status of refugee.

**Article 50**  
**Regulation of conditions for stay**

1. Anyone who has acquired asylum in Kosovo shall have the right for temporary stay permit in the municipality in which he legally stays.
2. Anyone who has acquired asylum in Kosovo and legally stays at least for five (5) years shall have the right for a permanent stay permit, unless in cases when:

2.1 the person violates in a severe manner or in repeated manner the security and public order in Kosovo or outside the Kosovo, places in danger or presents threat for the internal or external security of Kosovo.

**Article 51**  
**Employment with profitable purpose**

Anyone to who is granted the asylum in Kosovo may exercise profitable activities, change the type of work and occupation.

**SUB-CHAPTER IV**  
**TERMINATION OF ASYLUM**

**Article 52**  
**Revocation**

1. DCAM shall revoke the asylum or shall withdraw the status of refugee:
  - 1.1. the foreigner has acquired asylum or the recognized of the quality as refugee by giving false statements or by concealing crucial facts;
  - 1.2. for defined reasons in Article 1, subchapter C, chapters 1-6 of the Convention of 28 of July 1951 regarding the status of refugee.
2. DCAM shall revoke the asylum if the refugee violates the internal or external security of Kosovo, places in danger or has committed serious punishable crimes.
3. Revocation of asylum or withdrawal of refugee status shall have consequences for all other bodies.
4. Revocation of asylum or of the status of refugee shall not have any effect for the spouse or its children.

**Article 53**  
**Cessation**

1. Asylum in Kosovo shall cease if:
  - 1.1. the refugee has stayed more than three (3) years outside Kosovo;
  - 1.2. the refugee has acquired the asylum in another state or the permanent stay permit;

- 1.3. refugee resigns from this status;
  - 1.4. are being executed administrative removal measures or judicial measures taken against him.
2. In some circumstances, DCAM may extend the term specified in paragraph 1.1 of paragraph 1 of this Article.
  3. Status of refugee and asylum shall terminate at the time when the foreigner acquires the citizenship of Kosovo pursuant to Article 1, subchapter C, chapter 3 of the Convention of 28 of July 1951 regarding the status of asylum.

#### **Article 54 Expulsion**

The person with refugee status may not be removed from Kosovo, unless when it places in danger the internal and external security of Kosovo, or seriously violates the public order. Article 7 of this Law (non return principle) shall be taken into consideration.

### **CHAPTER IV GRANTING TEMPORARY PROTECTION AND THE STATUS OF PERSONS WITH TEMPORARY PROTECTION**

#### **SUB-CHAPTER I GENERAL PROVISIONS**

#### **Article 55 Decision of government**

1. Government shall decide if Kosovo grants temporary protection to groups of persons that need to be protected pursuant to Article 5 of this Law It shall define the respective criteria as well.
2. Before taking the decision, the government shall be consulted with the representatives of the refugee aid organizations, and in case of need, with other nongovernmental organizations, as well as with the office of High Commissariat Office of United Nations for refugees.

**Article 56**  
**Excluding exceptional situations**

1. During periods of sever international tensions, in case of armed conflicts in which Kosovo does not participate, or on occasion of peace, in case of a unusual influx of asylum seekers, Kosovo shall grant temporary protection to groups of refugees for as long as the circumstances permit.
2. If the long term housing of refugees exceeds the reception possibilities of Kosovo, the asylum shall be granted only temporary, until persons sheltered are transferred in another country. The government shall take necessary measures in these cases.
3. If there is envisaged a significant influx, the Government shall urge for an efficient and fast international cooperation in order to ensure their distribution.

**Article 57**  
**Measures of foreign affairs**

Government shall cooperate with the countries of origin or descent, with other reception countries and with international organizations, in order to create the appropriate conditions and without risk for the departure of persons that shall be protected.

**SUB-CHAPTER II**  
**PROCEDURES**

**Article 58**  
**Groups of persons to be protected**

1. Ministry shall define groups of persons to be protected and shall decide who benefits from the temporary protection in Kosovo. It should be kept into consideration the principle of family unity.
2. As a rule, decision of DCAM to grant temporary protection shall not be complained. The appeal shall be allowed only if the principle of family unity is violated.

**Article 59**  
**Persons to be protected situated at the border or in the territory of Kosovo**

1. Articles 19 and 20 of this Law shall be applied by analogy in the case of applications submitted from people to be protected who are located at the border or in the territory of Kosovo.

2. If clearly results that there is no persecution in terms of Article 4 of this Law, DCAM shall decide who belongs to a group of persons to be protected and who may benefit from the temporary protection in Kosovo.
3. In principle, decision to grant temporary protection shall not be appealed. The right of appeal shall be allowed only if the principle of family unity is violated.
4. If a person benefits from temporary protection, procedure of review of application for recognition of refugee status shall be suspended.
5. If DCAM refuses temporary protection to a person who has submitted an application for asylum, he shall continue without delay the review procedure of this application or his removal.

**Article 60**  
**Reopening of procedure for recognition the quality of refugee**

Persons to be protected who have submitted an application for recognition of refugee quality can request the reopening of this procedure only for 2 (two) years after the decision is taken pursuant to paragraph 3 of Article 59 of this Law. Reopening of this procedure shall consequent with the removal of temporary protection.

**Article 61**  
**Granting temporary protection to families**

1. Temporary protection shall be granted also to spouse of a person to be protected and their minor children if:
  - 1.1. persons seek protection at the same time in Kosovo and there are no exceptional reasons pursuant to Article 46 of this Law;
  - 1.2. family is divided at the time of departure from the country due to the events as defined in Article 5 of this Law and are united in Kosovo and no special reason is in contrary.
2. The child of persons to be protected born in Kosovo shall benefit the temporary protection.
3. If the persons benefiting from this right are situated out of Kosovo, to them shall be allowed entry in Kosovo.
4. Ministry shall define conditions for family unity in other cases according to the Law on foreigners.

**Article 62**  
**Procedure**

For the rest, provisions of chapter II subchapter I and III shall be applied by analogy on procedures defined in Articles 59 and 61 of this Law.

**Article 63**  
**Exceptional motives**

Temporary protection shall not be granted to people to be protected that fall in the field of Article 46 of this Law, who have seriously violated or jeopardize the public order and security.

**SUB-CHAPTER III**  
**TERMINATION OF TEMPORARY PROTECTION AND RETURN**

**Article 64**  
**Removing the measure of temporary protection**

1. Government shall, after consultation with DCAM, with refugee aid organizations, and if necessary with other nongovernmental organizations, and with the office of high Commissariat of United Nations for Refugees, decide on the date of removal of temporary measure given to specific groups to be protected.
2. DCAM shall grant the right to be heard to persons affected by the decision taken pursuant to paragraph 1 of this Article.
3. If during the right for hearing result persecution signs, a hearing session shall be held pursuant to Articles 25 and 26 of this Law. If there do not result persecution signs, DCAM shall decide pursuant to Article 31 of this Law.
4. If the person does not respond to the right to be heard, DCAM shall take decision on his return. Article 42 of this Law shall apply in accordance to the execution of return.

**Article 65**  
**Return**

The Government shall support the efforts undertaken at international level to organize the return of persons to be protected.

**CHAPTER V**  
**CONDITIONS FOR GRANTING ADDITIONAL PROTECTION AND STATUS**  
**OF PEOPLE WITH ADDITIONAL PROTECTION**

**SUB-CHAPTER I**  
**GENERAL PROVISIONS**

**Article 66**  
**Grave violation**

1. There shall be considered as serious violations:
  - 1.1. death penalty or his execution;
  - 1.2. torture or inhuman or degrading treatments and penalties made to asylum seeker in his country, or
  - 1.3. serious personal threats against life or person by a civilian person due to verbal violence or in case of internal or international armed conflict.

**Article 67**  
**Terms of additional protection**

1. DCAM shall given the status of additional protection with a term of 1 (one) year, with possible extension, depending on the circumstances for which this protection is granted.
2. The decision to grant additional protection shall be reviewed periodically.

**SUB-CHAPTER II**  
**STATUS**

**Article 68**  
**Regulation of stay conditions**

1. A person with additional protection shall stay in the municipality in which is assigned.
2. If, after 5 (five) years, DCAM has not removed the additional measure of protection, the person shall be provided with temporary stay permit, which expires at the moment of removing this measure.



3. Five (5) years after granting the temporary stay permit, the person to be protected shall be provided with permanent stay permit.

**Article 69**  
**The right to exercise a profitable activity**

During 6 (six) months from the date of submission of the application for asylum, the person with additional protection shall not be entitled to exercise profitable activity. Over this period of time, criteria for exercising a profitable activity shall be regulated in accordance with the Law on Foreigners.

**SUB-CHAPTER III**  
**COMPLETION OF ADDITIONAL PROTECTION AND RETURN**

**Article 70**  
**Revocation**

1. DCAM shall have the right to revoke additional protection if:
  - 1.1. the person has acquired the protection by giving false statements or concealing essential facts;
  - 1.2. the person has violated the internal or external security of Kosovo, threatens it or has committed punishable acts;
  - 1.3. since granting additional protection, the person has stayed a long time or repeatedly in the country of origin or descent ;
  - 1.4. has a valid stay permit, issued by a foreign country in which he can be returned.
2. Additional protection shall not be revoked if the person temporary returns in the country of origin or descent or in a third country with the consent of the competent authorities.
3. Revocation of additional protection shall not affect the spouse or minor children, except when it results that they no longer need protection.
4. If is provided a revocation of additional protection, a hearing session shall be held pursuant to Articles 25 and 26 of this Law.

## **Article 71 Cessation**

1. A person with additional protection shall not be considered as such from the moment when the circumstances justifying granting this protection cease to exist or when these circumstances have changed in such a way that this protection is no longer necessary.
2. With the purpose of implementing paragraph 1 of this Article, DCAM shall take into consideration changing of circumstances, which must be important so that the person who has profited from additional protection not to be subject to any type of grave violation.
3. Additional protection shall cease as well if:
  - 3.1. the person lives in another country, or;
  - 3.2. the person resigns from the additional protection, or;
  - 3.3. the person obtains a permanent stay permit in accordance with the Law on foreigners.

## **CHAPTER VI SOCIAL ASSISTANCE AND EMERGENCY ASSISTANCE**

### **SUB-CHAPTER I PROVISION OF SOCIAL ASSISTANCE, EMERGENCY ASSISTANCE AND ASSISTANCE FOR CHILDREN**

## **Article 72 Competence**

1. Social assistance or emergency assistance shall be provided to asylum seeker persons with status of refuge, additional or temporary protection from the municipality in which they are distributed.
2. As long as persons staying at municipalities but stays in a sheltering centre or centre for the integration of refugees, social or emergency assistance shall be granted by the government. Government may entrust the implementation of this task or a part of it to third parties.

**Article 73**  
**The right for social assistance or emergency**

1. Persons who stay in Kosovo in terms of this Law and who cannot confront needs with their means may benefit from social assistance, except when a third is in charge to ensure their maintenance pursuant to a legal or contracting obligation. Upon their request, these people can benefit also from emergency assistance.
2. In their request these persons can profit from the emergency assistance as well.

**Article 74**  
**Social assistance and emergency assistance**

1. Provision of social and emergency assistance shall be regulated by the Law on social assistance scheme regarding categories deriving from the Law on asylum. Persons who are subject to a final decision and to a deadline for removal from the territory of Republic of Kosovo shall be excluded from the social assistance scheme.
2. Social assistance granted to asylum seekers and persons to be protected whose status is not regulated yet, shall be granted for as long as is possible in kind. Granting emergency assistance should be justified.
3. Persons with the status of refugee or additional protection shall have the right on help, related to their social, cultural and professional integration.
4. Government shall issue sub legal act regarding the cooperation with relevant ministries in this field.

**Article 75**  
**Health care**

1. Asylum seeker or a person with refugee status or additional or temporary protection shall have the right for health care, in accordance with Law that regulate health care.
2. Government shall issue sub-legal act regarding the cooperation with relevant ministries in this field.

## **CHAPTER VII TREATMENT OF PERSONAL DATA**

### **SUB-CHAPTER I PRINCIPLES**

#### **Article 76 Treatment of personal data**

In accordance with fulfilling of their legal function, DCAM, authorities reviewing complaints and other organizations entrusted with duties pursuant to this Law may treat or provide for treatment of personal data of an asylum seeker, of a person to be protected and their relatives, including sensitive data, defined on the Law on data protection.

#### **Article 77 Communication of personal data to the country of origin or descent**

1. It shall be forbidden the communication of the personal data of an asylum seeker, a refugee or of a person to be protected, the country of origin or descent, when this kind of communication risks the person or his relatives. Also, it shall be forbidden the distribution of information related to an asylum application.

2. The authority entrusted with organizing the return of asylum seeker can make contact with the country of origin or descent aiming to find travel documents necessary for the execution of decision, provided that the quality of refugee is not recognised at the first instance by final decision.

3. In order to execute the decision of return to the country of origin or descent, authority entrusted with the organization of return, may communicate to foreign authorities the following data:

3.1. personal data (name, surname, data and place of birth, gender, citizenship, last known address in the origin or descent country) of the person concerned and, if necessary, the personal data of his relatives ;

3.2. data related with the passport or other identity documents;

3.3. fingerprints, photographs and perhaps biometric data;

3.4. data related with other documents that enable the identification of the person;

3.5. data concerning the health situation of the person, provided that this is in accordance with his interest;

3.6. any other data necessary to guarantee entry of a person in the country of destination and to maintain safety of accompanying persons;

3.7. data related to opened criminal proceedings to the extent it is important for the procedure of return of the person concerned, for maintaining order and public security in the country of origin or descent, and as long as the person concerned is not endangered.

## **Article 78**

### **Communication of personal data to third states and international organizations**

1. In order to implement the Law on asylum, DCAM and bodies that review complaints shall have the rights to communicate personal data to foreign authorities and international organizations entrusted with duties in this context, providing that the state or international organizations concerned guarantee a similar protection of transmitted data.

2. Personal data defined below shall be communicated:

2.1. personal data (name, surname and place of birth, sex, citizenship, the last known address in the place of origin) of the person concerned and, if it is necessary, personal data of his relatives etc;

2.2. data related to passport or other identity documents;

2.3. fingerprints, photos and perhaps biometric data;

2.4. data related to other documents that enable the identification of the person;

2.5. data related to the health condition of the person, under condition that this will be in compliance with his interest;

2.6. any other necessary data to guarantee the entry of the person in the state of destination and to preserve the security of the persons that accompanies him;

2.7. data related to the itinerary followed by the person, and his dwellings;

2.8. data related to his stay permits and visas issued to him;

2.9. data related to submitted asylum applications (place and date of submission, the phase in which the procedure is, preliminary information regarding the nature of the decision to be taken).

**Article 79**  
**Cooperation with authorities of criminal prosecution**

DCAM shall transmit to competent authorities of criminal prosecution all data and means of evidences for an asylum seeker which is suspected that has violated the international public Law, especially if he committed a crime against peace, a war crime or a crime against humanity, participating in genocide or practicing torture.

**Article 80**  
**Biometric data**

1. Competent authorities can treat biometric data of an asylum seeker or a person to be protected in order to define his identity.
2. DCAM can delegate the right of the personal data treatment to third parties , in this case, DCAM should be sure that authorized thirds respect the applicable provisions related to data protection and information security.
3. Type of biometric data to be collected and the right of access shall be regulated by the Law on Protection of Data.

**Article 81**  
**Fingerprints and photographs**

1. All fingerprints shall be taken and the photograph of each asylum seeker and the person to be protected. The government shall define exceptions for minors under age of fourteen (14).
2. Fingerprints and photographs shall be recorded in a database administered by DCAM, without referring to personal data of the person.
3. Fingerprints taken by DCAM shall be compared with fingerprints recorded by the police.
4. If police finds that new fingerprints are the same with those recorded previously, it shall inform the DCAM by marking the personal data of the person (name, last name, birthday, sex, reference number, personal number, citizenship and the country where he is located). If it comes to data collected by the police, it shall indicate (by code number) the date, place and the reason for taking fingerprints.

**Article 82**  
**Use of these data**

1. DCAM shall use these data in order to:
  - 1.1. verify the identity of the person concerned;
  - 1.2. verify if the person has submitted an asylum application;
  - 1.3. verify if there are data that confirm or contradict the statements of the person;
  - 1.4. verify if there are data that question the possibility of the person to gain the asylum status;
  - 1.5. Facilitate the cooperation between DCAM and police.
2. Communication abroad of collected personal data in accordance with paragraph 4 of Article 81 of this Law, without DCAM's consent shall be prohibited. Article 6 of Law on data protection shall be implemented for analogy.

**Article 83**  
**Data destruction**

1. Data shall be destructed:
  - 1.1. if the asylum status is granted to the person;
  - 1.2. ten (10) years after taking the final decision on refusing the application for asylum, after voluntary resigning from the asylum application, or after non review of application;
  - 1.3. ten (10) years after removing additional protection for persons to be protected.

**Article 84**  
**Keeping statistics**

1. DCAM shall administrate a data base that allows the registration of asylum applications and complaints, control of dossiers.
2. This data base may contain sensitive personal data, for as far as this is necessary to perform duties set out in Law.
3. Wrong data must be corrected.

**SUB-CHAPTER II**  
**TREATMENT OF DATA IN THE FRAMEWORK OF DUBLIN AGREEMENTS**

**Article 85**  
**Eurodac**

1. In the framework of international cooperation, DCAM shall be responsible for transmitting data to the central unit of the Eurodac system.
2. DCAM shall transmit the following data as follows:
  - 2.1. place and date of application for asylum in Kosovo;
  - 2.2. gender of asylum seeker;
  - 2.3. fingerprints taken in support of Article 81 of this Law;
  - 2.4. specific reference number of these fingerprints from Kosovo;
  - 2.5. date when taking fingerprints;
  - 2.6. date of data transmission to the central unit.
3. Transmitted data shall be recorded in the Eurodac database and shall be compared with the recorded data in it. The result of comparisons shall be transmitted to DCAM.

**Article 86**  
**Communication of personal data to a state which is bound by Dublin agreements**

Communication of personal data to competent authorities of a state which is bound by Dublin agreements shall be done in the same manner as the data communication between local authorities.

**Article 87**  
**Communication of personal data to a state which is not bound by Dublin agreements**

1. No personal data can be communicated to a third country if the latter does not provide the adequate protection of data.
2. In special cases, such personal data can be transmitted although the level of data protection in the other country is not in the appropriate level, provided that:



- 2.1. the person concerned gives his consent;
  - 2.2. if communication of these data is necessary to protect bodily integrity of the person, or
  - 2.3. If communication is necessary to protect an important public interest, to exercise or protect a right to justice.
3. Except in cases provided in paragraph 2 of this Article, such data can be communicated where there is guarantee for an adequate protection of the person concerned.

**Article 88**  
**Obligation to inform in case of collection of personal data**

1. The person concerned should be informed for any collection of his personal data. The obligation to inform shall not be implemented if the person is previously informed.
2. The person should be informed on the following data:
  - 2.1. identity of the holder of data ;
  - 2.2. purpose of using these data;
  - 2.3. authorities to who the data will be communicated, if this occurs;
  - 2.4. the right for access in his personal data in accordance with Article;
  - 2.5. consequences if the person refuses to provide his personal data.
3. If the personal data are not collected from the person concerned, he should be informed not later than at the moment of recording these data or their communication.

**Article 89**  
**The right of access**

The right of access shall be regulated by the Law on protection of personal data. Moreover, the data holder should provide information related to the origin of these data.

**Article 90**  
**Limitation of liability for information and right of access**

1. Law on personal data protection shall be implemented in case of limitation of liability to inform and the right of access.
2. If provision of information or a clarification have been denied or limited, these should be given from the moment as the reasons for refusal or limitation do not cease.

**CHAPTER VIII**  
**PROCEDURE OF COMPLAINT**

**SUB-CHAPTER I**  
**PROCEDURE OF COMPLAINT IN SECOND DEGREE**

**Article 91**  
**Complaint**

1. Asylum seeker shall have the right to submit an appeal against the decision of the competent authority to the National Commission for Refugees.
2. Appeals against the decision of first instance shall be regulated by the Law on Administrative Procedure, unless is otherwise provided by the Law on asylum.
3. Appeals against decisions of second instance shall be submitted to the competent court. Appeals against decisions of the second instance shall suspend the executions of decision.

**Article 92**  
**National Commission for Refugees**

1. The Government of Kosovo shall establish the National Refugee Commission and its members who shall serve during a period of 3 (three) years:
  - 1.1. the Commission shall consists of chairman, vice chairman and five regular members;
  - 1.2. chairman, vice chairman and members of the Commission shall be appointed from the ranks of graduate Lawyers, employed in state administrative bodies and must have at least 5 (five) years professional experience;

1.3. the body of first instance shall be excluded from participation in the National Commission for Refugees;

1.4. the representative of UNHCR shall participate in the quality of an observer.

2. The Commission shall be independent in its work.

3. In principle, the Commission shall decide on cases in the council of three members, headed by the chairman or vice chairman. Council shall take decisions by majority of votes.

4. The government shall issue sub-legal act for regulation of procedure of the national commission for refugees.

### **Article 93** **Motives of complaint**

1. The motives of the appeal shall be as in following:

1.1. violation of the provisions of procedural Law;

1.2. violation of the provisions of substantive Law;

1.3. incorrect or incomplete finding of essential facts.

2. Paragraph 2 of Article 23, Article 41 and paragraph 2 of Article 58 of this Law concerning the principle of family unity shall be considered.

### **Article 94** **Time limits of complaint**

1. The complaint deadline shall start from the moment of notification of decision. This period shall be fifteen (15) days for substantial negative decisions.

2. The complaint deadline for the interruption procedure shall be 5 (five) days.

3. Appeal transmitted by fax shall be considered valid if submitted within the time and the original is sent afterwards.

**Article 95**  
**Reinstatement on time**

1. If asylum seeker, which for reasonable cause can not submit an appeal within the deadline, may request reinstatement in time of, appeal.
2. The request for reinstatement on time shall be presented within three (3) days of being notified about the decision taken against him.
3. The request for reinstatement on time shall suspend the execution of the decision to expel asylum seeker from Kosovo.
4. National commission for refuge shall decide on the request on return to its previous condition within 3 (three) days of its submission. During this period, the order for compulsion and removal of asylum seeker from the territory of Kosovo cannot be applied.

**Article 96**  
**Procedure in second instance**

1. The commission shall decide on the base of evidences collected during the asylum procedure in the first instance and on the base of other evidences presented by asylum seeker.
2. At the conclusion of the appeal review, the Commission shall decide to:
  - 2.1. approve the decision of first instance;
  - 2.2. annul the decision of first instance and return for review in the first instance;
  - 2.3. improvement of the deficiencies found and taking decision;
  - 2.4. changes of the decision of first instance on the base of same evidences.

**Article 97**  
**Time limits of appeal review**

1. As a general rule, the Commission shall decides within thirty (30) days for appeals filed against decisions taken in supporting Articles 28 to 32 and Article 36 of this Law.
2. If it is not necessary to perform other acts of procedure, the Commission shall decide within 5 (five) days for appeals filed against decisions taken in supporting Articles and 28 to 32 of this Law.

3. The Commission shall decide within two months from the date of submission of the appeal against substantial decision if investigative measures must be taken in supporting Article 37 of this Law.

**Article 98**  
**Time limits of the procedure**

1. Additional time limit to complete the complaint shall be 7 (seven) days. This time limit shall be 3 (three) days for appeals against decisions on the interruption of procedure.

2. The time limit set for submission of evidence means shall be 7 (seven) days if these means are found in Kosovo and thirty (30) days if they are found outside Kosovo. Expertises should be granted in a period of time within thirty (30) days.

**Article 99**  
**Competence of a member of the commission that operates individually**

1. A member of the committee shall decide individually in cases as follows:

1.1. dismiss of appeal when there is no object;

1.2. non review of the subject for complaints that are clearly unacceptable (power issues);

1.3. appeals based or groundless provided that another member of the committee shall give his consent.

**Article 100**  
**Consequences of extraordinary means**

Use of extraordinary means shall not suspend the execution of decision for removal, unless the competent court for reviewing the request decides otherwise.

**CHAPTER IX**

**Article 101**  
**Personal documents**

1. Ministry of Internal Affairs shall issue the following personal documents:

- 1.1. certificate of asylum seekers;
  - 1.2. Permit for asylum seekers;
  - 1.3. Stay permit for persons with refugee status and additional and temporary protection;
  - 1.4. Travel documents for refugees and persons with additional protection;
2. Form and content of these documents shall be designated by MIA, in accordance with the Law on Foreigners.

**Article 102**  
**Return of documents**

Documents referred to in sub-paragraph 1.2, 1.3 and 1.4 of paragraph 1 of Article 101 of this Law shall be returned to DCAM after completion of the procedure, revocation of status or in case of its replacement due to damage.

**CHAPTER X**  
**INTERNATIONAL COOPERATION**

**Article 103**  
**International cooperation**

The government shall cooperate in harmonization and implementation of European policies on refugees at international level and in efforts undertaken outside Kosovo to resolve problems of refugees. Shall supports activities of organizations for refugee aid. It shall collaborate with High Commissioner for Refugees.

**CHAPTER XI**  
**FINAL PROVISIONS**

**Article 104**  
**Time limits for issuing sub legal acts**

For the implementation of this Law within six (6) months after entry into force of this Law, the Government of Kosovo and the Ministry of Internal Affairs shall be obliged to issue sub-legal acts.

**Article 105**  
**Repeal**

There shall be repealed the Law on Asylum No. 03/L-066 and all other acts which are contrary to the provisions of this Law.

**Article 106**  
**Transitional provisions**

1. The following procedures at the time of entry into force of this Law shall be regulated by the new Law.
2. Ongoing procedures at the moment of entry into force of this Law shall be regulated by this Law.
3. Article 85 of this Law shall become applicable at the moment when Kosovo adheres to EURODAC system.

**Article 107**  
**Entry into force**

This Law shall enter into force fifteen (15) days after publication in the Official Gazette of the Republic of Kosovo.

**Law No. 04/L-073**  
**21 December 2011**

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

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