



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

---

**Law No. 04/L-214**

**ON AMENDING AND SUPPLEMENTING THE LAW No. 04/L-072 ON  
STATE BORDER CONTROL AND SURVEILANCE**

**Assembly of Republic of Kosovo,**

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

Approves:

**LAW ON AMENDING AND SUPPLEMENTING THE LAW No. 04/L-072  
ON STATE BORDER CONTROL AND SURVEILANCE**

**Article 1**

The title of the basic Law shall be reworded as follows:

**Law on State Border Control**

**Article 2**

Article 2 of the basic Law, paragraph 1 shall be reworded as follows:

1. Border control includes border checks and surveillance, analysis of threats and risks to national security and that could affect the national security of the border and is carried out in order to:

### Article 3

1. Article 3 of the basic Law, sub-paragraph 1.3 shall be reworded as follows:

1.3. **Border control** – the activity carried out at a border, in accordance with and for the purposes of this Law, in response exclusively to an intention to cross or the act of crossing that border, regardless of any other consideration, consisting of border checks and border surveillance.

2. Article 3 of the basic Law, sub-paragraph 1.4 shall be reworded as follows:

1.4. **Border Surveillance** – surveillance of border between crossing points and surveillance of border crossing points outside the specified working hours in order to prevent persons from circumventing border checks;.

3. Article 3 of the basic Law, sub-paragraph 1.6 shall be reworded as follows:

1.6. **Border crossing point zone** – the space which is necessary for the performance of border check and other border formalities, and direct surroundings with facilities that are needed for the development of safe and unimpeded traffic, border check and other border formalities.

4. Article 3 of the basic law, sub-paragraph 1.10 shall be reworded as follows:

1.10. **Second line check** – the further check which will be carried out in a special location away from the location at which all persons are checked (first line).

5. Article 3 of the basic law, after sub-paragraph 1.11, there shall be added the new sub-paragraphs 1.12 and 1.13 with the text as following:

1.12. **Border check** – the check performed at border crossing points to ensure that persons, including their means of transport and the objects in their possessions, may be authorized to enter the territory of Kosovo or authorized to leave it.

1.13. **Carrier** – any natural or legal person whose profession it is to provide transport of persons.

### Article 4

In Articles: 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26, 31 paragraph 2 and 5, Articles 32, 33, 36, 56, 57, 59, 60, 61 and 62 of the basic Law, the term **”border control”** shall be replaced with the term **“border check”**.

## **Article 5**

After article 7 of the basic law, there shall be added a new Article 7.A with the text as following:

### **Article 7.A Special Authorizations**

The competences of Border Police to issue visas at the border crossing points in exceptional cases, to refuse entry and to annul visas is regulated by the relevant provisions set out in the Law on Foreigners and the relevant legislation.

## **Article 6**

Article 10 of the basic Law, paragraph 2 shall be reworded with the text as follows:

2. Border check may be performed also outside the border crossing point on the train, flying aircraft, or another location inside the territory of the Republic of Kosovo as specified in Article 46 of the basic Law.

## **Article 7**

Article 12 of the basic Law, sub-paragraph 1.2 shall be reworded with the text as follows:

1.2. to check whether the conditions for entry and exit from the Republic of Kosovo are fulfilled, as defined by Law on Foreigners, to give instructions and orders for the purpose of carrying out rapid and unimpeded border check.

## **Article 8**

1. Article 15 of the basic Law, sub-paragraph 1.3 the term **“review”** shall be replaced with the term **“examination”**.

2. Article 15 of the basic Law paragraph 1, sub-paragraphs 1.1, 1.5, 1.6, paragraph 2 sub-paragraphs 2.1, 2.3 and paragraph 3 sub-paragraphs 3.1 and 3.2. the term **“ascertainment”** shall be replaced with the term **“verification”**.

3. Article 15 of the basic Law, paragraph 1 sub-paragraph 1.2 the term **“examination”** shall be replaced with the term **“scrutiny”**.

4. Article 15 of the basic Law, paragraph 4 the term **“may”** shall be replaced with the term **“should”**.

5. Article 15 of the basic law, paragraph 5 shall be reworded with the text as following:

5. Foreign citizens to whom are performed thorough second line checks, shall be informed about the purpose and procedure of the check, and of the possibility of requesting and obtaining the name, last name, registry number of the border police officer who performs the thorough border check, name of the border crossing point and date of the border crossing.

## **Article 9**

After article 15 of the basic law, there shall be added a new Article 15.A with the text as following:

### **Article 15.A Second line check**

1. In cases when there is a necessity to conduct additional checks or where a reasonable doubt exists that one might be involved in illegal activities, border police officer shall escort the person or the vehicle in a different place away from the checking point to conduct additional checks (second line check).
2. Second line check, when it is permitted, shall always be conducted in a special place and separate from the first line.

## **Article 10**

After Article 24 of the basic Law, there shall be added a new Article 24.A with the text as following:

### **Article 24.A The obligations of the carrier**

The obligations of the carrier will be applied according to the legal provisions laid down in the Law on Foreigners.

## **Article 11**

Article 25 of the basic Law, after paragraph 6 there shall be added a new paragraph 7 with the text as following:

7. On conducting railway border check, the Border Police cooperate with foreign police bodies, in accordance with International Agreements.

## **Article 12**

After Article 26 of the basic Law, there shall be added a new Article 26.A is added with the text as following:

### **Article 26.A Local Border Traffic**

1. Border area residents provided with a local border traffic permit may cross the land border of the Republic of Kosovo under a local border traffic regime.
2. Bilateral Agreements with neighbouring countries should be signed for regular crossing of common borders by border area residents in order to stay in a border area.
3. Local border traffic regime shall constitute derogation from the general rules governing the border control of persons crossing the borders. Crossing the border by Local border residents is facilitated in the way of:
  - 3.1. issuing special documents used for the border crossings different from the passports. No entry or exit stamps shall be affixed to the local border traffic special document;
  - 3.2. setting up specific border gates open only to border area residents;
  - 3.3. reserving specific lanes to border residents at ordinary border gates; or
  - 3.4. Taking into account the local circumstances, and where exceptionally there is a requirement of a special nature, authorizing border area residents to cross their external land border at defined places other than authorized border gates and outside the fixed hours.
4. Border control under the local border traffic regime shall ensure that local residents are not considered to be a threat to public policy, internal security, public health or the international relations.
5. The conditions and procedure for the local border traffic, including issuing of local border traffic permit, are regulated by a sublegal enactment which is going to be adopted by the Minister of Internal Affairs.

## **Article 13**

Article 48 of the basic Law paragraph 2 shall be reworded with the text as following:

2. Cooperation from paragraph 1 of this Article is regulated with a special law.

## **Article 14**

After article 63 of the basic Law, there shall be added a new Article 63.A with the text as following:

### **Article 63.A The issuance of sub-legal acts**

The Ministry of Internal Affairs in cooperation with other state bodies shall issue sub-legal acts for the implementation of this Law.

## **Article 15 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-214  
31 July 2013**

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

---

**Jakup KRASNIQI**