

ON IMPLEMENTATION OF INTERNATIONAL SANCTIONS

Assembly of Republic of Kosovo,

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

Approves

LAW ON IMPLEMENTATION OF INTERNATIONAL SANCTIONS

CHAPTER I GENERAL PROVISIONS

Article 1 Purpose of the Law

1. The purpose of the Law on Implementation of International Sanctions (Hereinafter: LIIS) is:
 - 1.1. to ensure the implementation of the international obligations of the Republic of Kosovo;
 - 1.2. to create conditions for the Republic of Kosovo to contribute more effectively to the maintenance of international peace and security;
 - 1.3. to the combat the international terrorism;
 - 1.4. to combat violations of human rights and freedom;
 - 1.5. peaceful solution of territorial, ethnic and other conflicts between different states; and
 - 1.6. to ensure the national security interests of the Republic of Kosovo.
2. This Law shall determine the procedure for implementing the non-military international sanctions in the Republic of Kosovo imposed by the United Nations or other international organisations. The implementation of international sanctions shall comprise the imposition, change and termination of international sanctions.

Article 2 Definitions

1. Terms used in this law have the following meanings:
 - 1.1. **Entity** - a legal person–state, a zone of special status, any other organisation registered and licensed to exercise legal activity and a natural person;
 - 1.2. **International sanctions** - the restrictions and obligations imposed by the resolution, convents, covenant, declaration or any with act of the United Nations Organisation or other international organisations. International sanctions may be of economic, financial, political, communication and public nature, and they aim to set out other restrictions and obligations.
 - 1.3. **Economic sanctions** - restrictions on the import, export, re-export and transit, including brokering of goods for civil purposes, dual-use items, military equipment, services and technology; restrictions on the trade with entities to which international sanctions are implemented; restrictions on economic activities of natural and legal persons of the Republic of Kosovo in a state or territory to implement international sanctions; restrictions on economic

activities in the territory of the Republic of Kosovo of the entities to which international sanctions are implemented.

1.4. **Financial sanctions** - restrictions on the rights of entities, to which international sanctions are implemented, to manage, use or dispose of cash, securities, goods, other assets and property rights; payment restrictions for entities to which international sanctions are implemented; other restrictions on financial activities.

1.5. **Political sanctions** - restrictions on official visits; restrictions on entry into or transit through a state or a territory, with respect to those states to which international sanctions are implemented; restrictions on entry into or transit through the territory of the Republic of Kosovo, for the persons to whom international sanctions are implemented; restrictions on diplomatic relations as well as other measures of political and diplomatic influence.

1.6. **Communication sanctions**- restrictions on rail, road, water, air, postal, electronic transport and/or other communication with entities to which international sanctions are implemented.

1.7. **Public sanctions**- restrictions on cultural, scientific, educational, sports and other public relations with entities to which international sanctions are implemented.

Article 3

General Conditions of the Implementation of International Sanctions

1. The implementation of international sanctions shall be laid down and changed by decision of the Government of the Republic of Kosovo, with the exception of the case referred to in paragraph 1 of Article 8 of this Law.

1.1. decisions of the Government of the Republic of Kosovo shall prescribe which sanctions are implemented, time limits for implementing such sanctions, conditions, possible exemptions and entities to which international sanctions are implemented;

1.2. an expiration date of international sanctions shall be set taking into account the expiration date indicated in decisions of international organisations imposing international sanctions;

1.3. time limits for implementing international sanctions in the Republic of Kosovo shall not be set out, if an international organisation, which has set out such time limits, provides the possibility to renew the implementation of international sanctions after the review which is carried out upon the expiry of the time limits for implementing the said sanctions.

2. If decisions of the international organisations lay down that international sanctions become repealed or their implementation is not prolonged, the implementation of international sanctions in the Republic of Kosovo shall be terminated by the decision of Government of the Republic of Kosovo.

3. The decision of the Government of the Republic of Kosovo concerning the implementation of international sanctions shall establish what actions natural and legal persons of the Republic of Kosovo must perform or are prohibited from performing when carrying out international sanctions.

4. The provisions of this Law shall apply to natural and legal persons of the Republic of Kosovo in the territories of foreign states, irrespective of the fact whether the foreign states implement or not the international sanctions which are implemented by the Republic of Kosovo.

Article 4

Exemptions on the Implementation of International Sanctions

1. If decisions of the international organisations imposing international sanctions permit the exemptions on their implementation for humanitarian purposes, needs pertaining to provisions of peacekeeping missions or in other particular cases, the implementation of exemptions from sanctions in the Republic of Kosovo shall be set out by decision of the Government of the Republic of Kosovo, with the exception of the case referred to in paragraph 1 of Article 8 of this Law.

2. The Ministry of Foreign Affairs of the Republic of Kosovo shall be responsible for the implementation of the specified exemptions.

2.1. the entities to which international sanctions are implemented or natural or legal persons of the Republic of Kosovo, except financial institutions, seeking to avail themselves of the possibility exemptions, shall apply to an institution carrying out supervision of the implementation of international sanctions, which is indicated in Article 12 of this Law and the abovementioned institution or a financial institution shall apply to the Ministry of Foreign Affairs of the Republic of Kosovo regarding the implementation of an exemption based on a criterion on a case by case and shall implement an exemption only with the consent of the abovementioned Ministry.

2.2. in those cases when the Ministry of Foreign Affairs of the Republic of Kosovo is an institution carrying out supervision of international sanctions, entities or natural or legal persons to which international sanctions of the Republic of Kosovo are implemented, in order to avail themselves of the possibility of exemptions, shall apply directly to the Ministry of Foreign Affairs of the Republic of Kosovo.

CHAPTER II SCOPE OF THE IMPLEMENTATION OF INTERNATIONAL SANCTIONS

Article 5

Scope of the Implementation of the Obligatory Sanctions of the United Nations Security Council and the Decisions of other International Organisations

International sanctions set out in the Resolutions of the Security Council of the United Nations and the decisions of other international organisations on international sanctions, which are binding under the international obligations of the Republic of Kosovo, shall be implemented completely in the manner prescribed in Article 3 of this Law.

Article 6

Scope of the Implementation of Recommendatory Decisions of International Organisations

The decisions of the General Assembly of the United Nations, the Organisation for Security and Co-operation in Europe, other international organisations member of which is the Republic of Kosovo or in which the Republic of Kosovo takes part, recommending to impose international sanctions on particular entities shall be implemented by the Republic of Kosovo in the manner prescribed by Article 3 of this Law.

Article 7

Implementation of the Decisions of International Organisations

Decisions of international organisations regarding the imposition of international sanctions against foreign states shall be implemented by decisions of the Government of the Republic of Kosovo.

CHAPTER III

EFFECT OF INTERNATIONAL SANCTIONS IMPLEMENTED IN THE REPUBLIC OF KOSOVO ON OBLIGATIONS AND TRANSACTIONS

Article 8

Fulfilment of Obligations upon the Establishment of Implementation of International Sanctions

1. It is prohibited to perform the actions the performance of which is prohibited by the international sanctions implemented in the Republic of Kosovo. The actions, as conclusion prior to the establishment of the implementation of international sanctions in the Republic of Kosovo must be immediately terminated unilaterally or by agreement between the parties. Their execution must be suspended for the duration of the implementation of international sanctions.

2. It shall be prohibited to conclude transactions, the execution of which would be in conflict with international sanctions implemented in the Republic of Kosovo. Such transactions concluded after the

establishment of the implementation of international sanctions in the Republic of Kosovo in the manner prescribed by this Law shall be considered annulled avoided, and invalid.

3. The fulfilment of the obligations which appear prior to the establishment of implementation of international sanctions in the Republic of Kosovo must be terminated immediately or suspended for the duration of the implementation of international sanctions. It shall be prohibited to assume new obligations the fulfilment of which would be in conflict with international sanctions implemented in the Republic of Kosovo.

4. Upon the restriction of availability of accounts to the entities with to which international sanctions are implemented, expenses associated with routine holding of such accounts may be deducted from them interest as well as payments due under transactions, concluded prior to the commencement of the implementation of international sanctions, may be added only if any deductions or additions shall not be made available to the entity to which financial sanctions are implemented.

Article 9

Legal Consequences for Non-Fulfilment of Obligations

1. Civil liability shall not be applied to natural and legal persons of the Republic of Kosovo for the non-fulfilment of obligations relating to the implementation of international sanctions, or such persons shall be released from the above-mentioned liability pursuant to the provisions of the applicable Legislation.

2. Expenses incurred by natural and legal persons when implementing this Law shall not be reimbursed.

CHAPTER IV

ADMINISTRATION AND SUPERVISION OF THE IMPLEMENTATION OF INTERNATIONAL SANCTIONS

Article 10

Administration of the Implementation of International Sanctions

1. The Ministry of Foreign Affairs shall co-ordinate the implementation of international sanctions in the Republic of Kosovo and provide natural and legal persons with information about the issues pertaining to the implementation of the international sanctions.

2. The above-mentioned Ministry shall provide information to other international organizations on the implementation of international sanctions of the United Nations.

Article 11

Institutions of the Republic of Kosovo Supervising the Implementation of International Sanctions

1. Within the limits of their competence, the following institutions shall be responsible for the implementation of international sanctions:

1.1. the Ministry of Foreign Affairs, the Ministry of Finance and Economy;

1.2. for supervision of the implementation of financial sanctions the responsible institutions are Ministry of Internal Affairs, the Kosovo Police under the coordination of the Ministry for Internal Affairs and Ministry of Economy and Finance;

1.3. for supervision of the implementation of political sanctions the responsible institutions are; the Ministry of Internal Affairs, Ministry of Culture, Youth and Sports and all other Ministries responsible based on their scope of activity;

1.4. for supervision of the implementation of communication sanctions, the responsible institutions are; the Ministry of Transport and Telecommunication, the Ministry of Foreign Affairs, the Telecommunication Regulatory Authority, the Regulatory Authority of Civil Aviation;

1.5. for supervision of the implementation of public sanctions the responsible institution are; the Ministry of Culture, Youth and Sports, the Ministry of Education, Science and Technology, under the coordination of the Ministry of Finance and Economy.

2. When necessary, the Government with a decision may appoint other institutions, which are responsible for supervision of the implementation of international sanctions set out in decision.

Article 12

Supervision of the Implementation of International Sanctions

1. The procedure for supervision of the implementation of international sanctions shall be laid down by the decision of the Government of the Republic of Kosovo. Legal and natural persons must submit all the documents necessary to exercise supervision to the institutions carrying out the implementation of international sanctions.

2. Institutions responsible for supervision of the implementation of international sanctions as well as financial institutions shall provide the Ministry of Foreign Affairs with information about the implementation of international sanctions, their infringements and cases under consideration.

3. Provisions of the information specified in this Law to the institutions referred to in paragraphs 1 and 2 of this Article shall not constitute the disclosure of an official, industrial, commercial, bank secret or confidential information. Data which comprise a state or an official secret shall be furnished to institutions and shall be collected and stored in institutions in accordance with procedures established by the applicable Laws.

CHAPTER V

LIABILITY FOR INFRINGEMENT OF INTERNATIONAL SANCTIONS

Article 13

Liability for Infringement of the Law

Natural and legal persons shall be liable for the infringements of this Law, in accordance with procedures established by the laws of the Republic of Kosovo.

CHAPTER VI

FINAL PROVISIONS

Article 14

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. 03/L-183
15 April 2010

Promulgated by the Decree No. DL-018-2010, dated 04.05.2010, of the President of Republic of Kosovo, Dr. Fatmir Sejdiu.