

**LAW No. 04/L-052  
ON INTERNATIONAL AGREEMENTS**

**Assembly of Republic of Kosovo,**

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

Approves:

**LAW ON INTERNATIONAL AGREEMENTS**

**Article 1  
Purpose**

This Law shall establish the procedure on conclusion, endorsement, ratification, reserves and declarations, amendments and supplementations, withdrawal from the agreement and implementation of international agreements of the Republic of Kosovo.

**Article 2  
Accordance with Rules and Principles of International Law**

This Law is in accordance with universally recognized rules and principles of international law regulating the conclusion and execution of international treaties which were consolidated in the 23 May 1969 Vienna Convention on the Law of Treaties and in the 21 March 1986 Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations.

**Article 3  
Definitions**

1. Expressions used in this law shall have the following meaning:

1.1. **Accession** - the act by which the Assembly or the President of Republic of Kosovo gives the approval for Republic of Kosovo to become a party of a treaty or International Agreement, which is not signed by the them;

1.2. **State Agencies** or **Respective State Agencies** - the institution, whose area of competencies covers the scope of activity of the agreement;

1.3. **Authorization** - a document issued by the competent body appointing one or few persons to represent it in negotiations or conclusion of an International Agreement;

1.4. **Declaration** - an unilateral declaration made by the competent state body at the time of conclusion, ratification, accession or approval of an agreement, expressing an understanding or interpretation of the agreement, not aiming to exclude or modify the legal effects of certain legal provisions;

1.5. **International Agreement** - an International Agreement respectively treaty concluded between the Republic of Kosovo and foreign states or international organizations in written form and governed by the International Law, whatever its particular designation and regardless of whether it is embodied in a single, two or more related instruments.

1.6. **Agreement on inter-institutional cooperation** - an agreement or memorandum concluded on behalf of, and according to the competence of, the Ministries or state agencies and other institutions of the Republic of Kosovo with the respective institutions and organizations of foreign states, that is not concluded on behalf of the State and the Government of the Republic of Kosovo and is not subject to ratification. This type of agreement is of technical nature;

1.7. **Initials** - the act by which authorized persons shall put their initials to witness their consent with the final text of the agreement;

1.8. **Ratification** - the act by which the Republic of Kosovo in international level gives its consent for conclusion of an international agreement, in accordance with Constitution of Republic of Kosovo;

1.9. **Reservations** - an unilateral declaration made by the competent state body at the time of conclusion, ratification, adhesion or approval of an agreement which aims at excluding or modifying the legal impacts of certain provisions;

1.10. **Denunciation from the agreement** - an act by which the Assembly, the President or the Government of the Republic of Kosovo expresses withdrawal from an international treaty or agreement.

#### **Article 4**

##### **Right of Initiative to Conclude International Agreements**

1. The right of initiative to conclude International Agreements have state bodies of the Republic of Kosovo in compliance with the Constitution of Republic of Kosovo and the law in force.
2. The initiatives for international agreement coming from Ministries shall be adopted in principle by the Government, upon recommendation from the Ministry on Foreign Affairs.

#### **Article 5**

##### **The Procedural Review of the draft International Agreements**

1. The text of the draft International Agreement drafted by a particular ministry or state agency in the Albanian and Serbian languages, and in the relevant foreign language, shall be sent to relevant ministries or state agencies for their review.
2. The draft text of the International Agreement shall be sent to the Ministry of Foreign Affairs for review only after it has been reviewed and agreed to by all other relevant ministries and state agencies. The draft text of the International Agreement shall be sent to Ministry of Foreign Affairs together with copies of opinions received by other ministries or state agencies during the review procedure.
3. The responsible ministry or state agency shall arrange for the translation of the draft text of the International Agreement into the Albanian and Serbian languages or into the relevant foreign language.

#### **Article 6**

##### **Powers to Conclude International Agreements**

1. The President and the Prime Minister and the Minister of Foreign Affairs shall be entitled to perform all acts relating to the conclusion of the International Agreements of the Republic of Kosovo, in compliance with Constitution of Republic of Kosovo and Vienna Convention on the Law of Treaties.

2. The head of a diplomatic mission of the Republic of Kosovo or the authorized representative of the Republic of Kosovo at an international conference, international organization or one of its bodies shall be entitled to negotiate the conclusion of an International Agreement of the Republic of Kosovo or to approve its text with the State to which he is accredited or at the international conference, international organization or one of its bodies.

3. Other persons may perform acts relating to the conclusion of the International Agreements of the Republic of Kosovo only provided they possess powers granted to them on the basis of the laws in force and according to the procedure established in Article 6 of this Law.

### **Article 7**

#### **Procedure for Granting Powers to Conclude International Agreements**

1. The powers to perform acts related to the conclusion of International Agreements of the Republic of Kosovo dealing with special areas as defined in paragraph 1. Article 10 of this Law, shall be authorized by the President upon recommendation of the Government.

2. The powers to perform the acts relating to the conclusion of International Agreements of the Republic of Kosovo other those referred to in paragraph 1. of Article 10 of this law, shall be granted by the Minister of Foreign Affairs of the Republic of Kosovo.

3. The powers for concluding International Agreements of the Republic of Kosovo which enter into force on the date of the signing thereof shall be granted by the President on the recommendation of the ministry or state agency within whose competence falls the drawing up of the, International Agreement provided the Ministry of Foreign Affairs has given its previous consent thereto.

4. Applying to the Government of the Republic of Kosovo for the granting of powers by the President to perform acts relating to the conclusion of the International Agreement referred to in paragraph 1. of Article 10 of this law, the responsible ministry or state agency shall submit the following documents:

4.1. the draft text of the International Agreement in the Albanian and Serbian languages, and, where applicable, in the relevant foreign language;

4.2. opinions submitted by ministries or state agencies during the review procedure;

5. The decision shall be issued by the Government of the Republic of Kosovo to apply to the President for the granting of the powers. The decision shall specify the relevant Articles or paragraphs of the Constitution of the Republic of Kosovo and this law.

6. Applying to the Ministry of Foreign Affairs for the granting of powers to perform acts relating to the conclusion of the International Agreement other than those referred to in paragraph 1. of Article 10 of this Law, the responsible ministry or state agency shall submit the following documents:

6.1. the draft text of the International Agreement in the Albanian and Serbian languages, and, where applicable, in the relevant foreign language;

6.2. opinions submitted by ministries or state agencies during the review procedure;

7. Applying to the President of the Republic of Kosovo for the granting of powers to perform acts relating to the conclusion of the International Agreement which enters into force on the moment of signature, the responsible ministry or state agency shall submit the following documents:

7.1. the text of the draft International Agreement in the Albanian and Serbian languages, and, where applicable, in the relevant foreign language;

7.2. opinions submitted by ministries or state agencies during the review procedure;

7.3. the decision of the Ministry of Foreign Affairs on the expediency of conclusion of the International Agreement.

8. The President and Minister of Foreign Affairs shall issue full powers no later than within fifteen (15) working days of the date of receipt of the request by the Government, respectively the ministry or state agency. Full powers shall be signed by the President and the Minister of Foreign Affairs.

9. Information about full powers shall be stored and administered at the Ministry of Foreign Affairs.

### **Article 8 Negotiations of the International Agreement**

1. Prior to the commencement of negotiations, the relevant ministry or state agency shall propose the composition of the delegation, time and location for the negotiations to be held, after receiving the consent by the Ministry of Foreign Affairs.

2. Ministry of Foreign Affairs, when giving consent for commencement of negotiations, shall also give the consent for composition of the delegation, the time and place where they shall be held.

3. After each stage of negotiations of the International Agreements, the responsible ministry or state agency shall report the progress and results of the negotiations to the Ministry of Foreign Affairs. Any correspondence with foreign states and international organizations regarding the International Agreements shall be exchanged only through diplomatic channels.

4. Any proposals made during the negotiations to make major changes or additions to the draft text of the International Agreement shall be subject to the review procedure by the relevant ministries or state agencies. Negotiations may be resumed if the relevant ministries or state agencies agree to the proposed changes and additions during the review procedure.

5. If the relevant ministries or state agencies do not agree to the proposed changes or additions to the project text of the International Agreement, then amendments shall be examined and decided by the Government after the submission of the proposal by the Ministry of Foreign Affairs.

### **Article 9 Form and Language**

1. Text of the international bilateral agreement shall be printed in languages of parties that conclude the agreement or in other language under their agreement:

1.1. in its own alternate and letter;

1.2. in the alternate and letter of the other party.

2. Parties may agree to use another jointly accepted foreign language for each original copy.

3. Afterwards, alternates, on the basis of sub-paragraphs 1.1 and 1.2 paragraph 1. of this Article, shall be exchanged. Resultantly, each party shall possess two copies in the languages of both parties.

4. In special cases, international bilateral treaties may be drawn up in a single third language, agreed upon jointly by both parties. In this case, the ministry or state agency shall deposit to the Ministry of Foreign Affairs, apart from the original document of the agreement, the translation in official languages.

## **Article 10**

### **Ratification of International Agreements**

1. Assembly of the Republic of Kosovo by two thirds (2/3) votes of all deputies shall ratify the international agreement on following issues:

- 1.1. territory, peace, alliances, political and military issues;
- 1.2. fundamental rights and freedoms;
- 1.3. membership of the Republic of Kosovo in international organizations;
- 1.4. the undertaking of financial obligations by the Republic of Kosovo.

2. International Agreements referred to in paragraph 1. of this Article shall be ratified by a law by two thirds (2/3) vote of all deputies of the Assembly of the Republic of Kosovo.

3. International Agreements of the Republic of Kosovo referred to in paragraph 1. of this Article shall be submitted to the Assembly on its own initiative or on the proposal of the Government.

4. International Agreements of the Republic of Kosovo other than those in paragraph 1 of this Article shall be ratified upon signature of the President of the Republic of Kosovo

5. Paragraph 4. of this Article shall not apply to International Agreements of the Republic of Kosovo signed by the President of the Republic of Kosovo.

6. Instruments of ratification shall be drawn up on the basis of the law or decree respectively specified in paragraphs 2. and 4. of this Article or on the basis of paragraph 5. of this Article.

7. When the responsible ministry or state agency initiates the ratification procedure of the International Agreement referred to in paragraph 1 of this Article, the responsible ministry or state agency shall draft, initiate the review procedure under Article 5 of this Law and submit to the Government together with the text of the International Agreement and explanatory letter to the International Agreement the following documents:

- 7.1. the draft decision of the Government of the Republic of Kosovo to apply to the President with a request to propose to the Assembly of the Republic of Kosovo to ratify the International Agreement;
- 7.2. the draft decree of the President of the Republic of Kosovo to propose to the Assembly to ratify the International Agreement;
- 7.3. the draft law of the Republic of Kosovo on the ratification of the International Agreement;

8. The request for the ratification of agreements that are not provided for in paragraph 1. of this Article shall be submitted by the Ministry of Foreign Affairs to the President.

9. The request for ratification shall be accompanied by the text of the International Agreement and the explanatory letter to the International Agreement.

10. The decree of the President of the Republic of Kosovo shall specify the relevant articles and/or paragraphs of the Constitution of the Republic of Kosovo pursuant to which the International Agreement is to be ratified.

#### **Article 11 Reservations and declarations**

1. If any reservations and/or declarations are made regarding the International Agreement, the responsible ministry or state agency shall report these to the relevant ministries and Government agencies during the review procedure under Article 5 of this Law.

2. The responsible ministry or state agency shall include the text of these reservations and/or statements into the draft law of the Republic of Kosovo on the ratification of the International Agreement or the draft decree of the President of the Republic of Kosovo on the ratification of the International Agreement, respectively, and shall arrange for the translation of these reservations and/or statements into the foreign language concerned.

3. The withdrawal or amendment of the reservations and/or statements regarding the International Agreement shall be subject to the requirements of Article 10 of this Law.

#### **Article 12 Conclusion of agreements on inter-institutional cooperation**

1. Ministries or state agencies may conclude, within their competence, agreements or memoranda with institutions of other states and international organizations only if such agreements do not contain legally binding obligations on the Government. These agreements may be concluded through an exchange of notes, without the developing negotiations with delegations.

2. This agreements may be concluded only if they are not in conflict with laws and other legal acts of the Republic of Kosovo and its international commitments, and if the implementation of such agreements does not require additional financing from the State budget of the Republic of Kosovo.

3. Draft texts of such agreements shall be sent to the Ministry of Foreign Affairs for review.

4. Once the Ministry of Foreign Affairs has given its written consent to the conclusion of the agreement, the agreement shall be signed by the head of the respective ministry, state agency or other state institution or by a person authorized to this end by the head of such ministry, state agency or other relevant institution.

5. A paper and an electronic copy of the text of the agreement shall be submitted to the Ministry of Foreign Affairs which stores and handles information on such agreements.

#### **Article 13 Draft standard texts of the International Agreements**

1. The responsible ministry or state agency may draft standard texts of International Agreements. Such draft standard texts of International Agreements shall be sent to relevant ministries and Government or state agencies for review in accordance with Article 5 of this Law.

2. The responsible ministry or state agency shall submit to the Ministry of Foreign Affairs the draft standard text of the International Agreement in the Albanian and Serbian languages and the draft decision of the Government of the Republic of Kosovo concerning the approval of the draft standard text of the International Agreement.

2.1. the draft standard text of the International Agreement shall be approved by the Government of the Republic of Kosovo.

2.2. the draft standard text of the International Agreement may be sent to foreign states or international organisations of this Law without the additional review procedure under Article 5 of this Law.

#### **Article 14**

### **Competence of the Ministry of Foreign Affairs of the Republic of Kosovo in the Process of Entry into Force of International Agreements the Republic of Kosovo**

1. International acts relating to the entry into force, validity and operation of International Agreements of the Republic of Kosovo, including preparation and depositing of documents required for the entry into force of the International Agreement with the depository, notification of suspension of the operation or termination and reporting on the implementation of the international agreements shall be carried out by the Ministry of Foreign Affairs of the Republic of Kosovo.

2. The Ministry of Foreign Affairs shall draw up instruments of ratification of International Agreements, notifications on the completion of internal legal procedures and other instruments necessary for the International Agreement to come into force shall deposit these instruments and ensure the transmission of these instruments to relevant foreign and international institutions, as well as exchange of these instruments.

3. The Ministry of Foreign Affairs shall deposit International Agreements to a depository or shall act as a depository itself, if so provided for in the International Agreement

#### **Article 15**

### **Binding Character of International Agreements**

1. The International Agreements the Republic of Kosovo that have entered into force shall be binding in the Republic of Kosovo.

2. If a International Agreement of the Republic of Kosovo which has entered into force establishes norms other than those established by the laws, other legal acts of the Republic of Kosovo which are in force at the moment of conclusion of the International Agreement or which entered into force after the entry into force of the International Agreement, the provisions of the International Agreements of the Republic of Kosovo shall prevail.

3. If a law or any other legal act has to be passed for the purpose of implementation of an International Agreement of the Republic of Kosovo, the Government of the Republic of Kosovo shall submit to the Assembly according to the established procedure a draft of the appropriate law or shall adopt an appropriate decision of the Government or ensure according to its competence the passing of another legal act.

#### **Article 16**

### **Implementation of International Agreements of the Republic of Kosovo**

1. The Government shall ensure the implementation of International Agreements.

2. An International Agreement of the Republic of Kosovo may also lay down special rules for the implementation of the International Agreements

#### **Article 17**

### **Amending International Agreements of the Republic of Kosovo**

An International Agreement of the Republic of Kosovo may be amended on the grounds of the norms of international law and according to the procedure laid down in this Law for the conclusion of the International Agreements, unless the International Agreement otherwise provides.

#### **Article 18**

#### **Denunciation of International Agreements of the Republic of Kosovo or suspending their implementation**

1. International Agreements of the Republic of Kosovo may be denounced their operation may be suspended only pursuant to the provisions of the International Agreements, norms of international law and according to the procedure established by this Law.

2. The decision concerning denunciation of an International Agreement of the Republic of Kosovo or suspension of its operation according to the universal norms of international law referred to in paragraph 1. of Article 10 of this Law shall be taken by the Assembly of the Republic of Kosovo by two third (2/3) of votes on the recommendation of the President of the Republic of Kosovo on his own initiative or upon the proposal of the Government of the Republic of Kosovo.

3. The decision concerning denunciation of an International Agreements of the Republic of Kosovo or suspension of its operation according to the universal norms of international law other than referred to in paragraph 1. of Article 10 of this Law shall be taken by the President of the Republic of Kosovo on his own initiative or the recommendation of the Government of the Republic of Kosovo.

#### **Article 19**

#### **Information on International Agreements of the Republic of Kosovo**

1. Information about all International Agreements that have been concluded by the Republic of Kosovo shall be stored and administered at the Ministry of Foreign Affairs; even they are published in the Official Gazette.

2. The original copy of the signed International Agreement shall be forwarded, no later than within ten (10) working days, by the responsible ministry or Government or state agency to the Ministry of Foreign Affairs for storage. Together with the International Agreement, the responsible ministry or Government or state agency shall submit a document stating by whom, when and where the International Agreement was signed, and the electronic text of the International Agreement in the Albanian and Serbian and, where available, relevant foreign languages.

3. The Ministry of Foreign Affairs shall certify the authenticity of copies of signed International Agreements and forward such copies to relevant state institutions.

#### **Article 20**

#### **Publication of International Agreements of the Republic of Kosovo**

1. International Agreements of the Republic of Kosovo shall be published in the Official Gazette once they are sent by the Office of the President of the Republic of Kosovo, Assembly of Republic of Kosovo respectively.

2. To publish the International Agreement, the Ministry of Foreign Affairs shall send a paper and an electronic copy of the original text of the International Agreement in the Albanian and Serbian languages to the Official Gazette of Republic of Kosovo. If the International Agreement is done in a foreign language only, the Ministry of Foreign Affairs shall send to the Official Gazette the translation, on paper and in the electronic form, of the International Agreement into the Albanian and Serbian languages performed and verified under requirements of paragraph 3 of Article 5 of this law.



3. The Ministry of Foreign Affairs shall publish in the Official Gazette and its webpage, informational releases on the entry of International Agreements into force.

**Article 21**

**Registration of International Agreements of the Republic of Kosovo at the Secretariat of the United Nations**

After their entry into force the International Agreements of the Republic of Kosovo shall be transmitted by the Ministry of Foreign Affairs of Kosovo to the Secretariat of the United Nations for registration.

**Article 22**

The Government of Kosovo upon the proposal by the Ministry of Foreign Affairs issue the necessary sub normative acts for the implementation of this Law.

**Article 23**

**Entry into Force**

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

**Law No. 04/L-052**  
**14 November 2011**

**Pursuant to the article 80, paragraph 5 of the Constitution of the Republic of Kosovo, Law shall be published in the Official Gazette of the Republic of Kosovo.**