



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

---

**Law No. 03/L-125**

**ON CONSULAR SERVICE OF DIPLOMATIC AND CONSULAR MISSIONS  
OF THE REPUBLIC OF KOSOVO**

**Assembly of Republic of Kosovo,**

In support of article 65 (1) of the Constitution of the Republic of Kosovo,

Referring to the Vienna Convention on Diplomatic Relations of 1961; Vienna Convention on Consular Relations of 1963; other relevant international rules and of the Republic of Kosovo,

Approves

**LAW ON CONSULAR SERVICE OF DIPLOMATIC AND CONSULAR MISSIONS  
OF THE REPUBLIC OF KOSOVO**

**CHAPTER I**

**GENERAL PROVISIONS**

**SUB-CHAPTER I**

**CONSULAR ACTIVITY OF DIPLOMATIC AND CONSULAR MISSIONS**

**Article 1**  
**The Purpose**

1. Diplomatic and consular missions, in their consular activities, shall support cooperation between the Republic of Kosovo and the receiving state in the field of consular services, as

stipulated in Article 5 of the Vienna Convention on Consular Relations, and promote the enforcement of the friendly relations between the Republic of Kosovo and the receiving state.

2. Diplomatic and consular missions, in their consular activities, shall protect the interests of the Republic of Kosovo and the rights of Kosovo nationals in the receiving state in conformity with the Vienna Convention on Consular Relations.

## **Article 2 Definitions**

For the purpose of this Law, expressions used in this law have the following meaning:

**”Consular mission”** shall mean the representation office or consular office, thus due to the case, consulate general, consulate, and consular service in the diplomatic mission of the Republic of Kosovo.

**”Head of consular mission”** shall mean the person charged to conduct functions of a consular service. Due to the case, head of the consular mission could be a general-consul, consul, vice-consul, head of the consular service of a diplomatic mission of the Republic of Kosovo.

**”Consular officer”** shall mean a senior officer, including the head of the consular mission in charge to exercise the consular functions.

**”Consular clerk”** shall mean the person employed in the administrative or technical service of a consular mission.

**”Receiving state”** shall mean the state/country to which the head of a consular mission is accredited to.

**”Consular district”** shall mean the territory in the receiving state where the consular mission is accredited.

**”Honorary consular officer”** shall mean the citizen of Kosovo or a foreign citizen with permanent residence in the receiving state, appointed by the Minister of Foreign Affairs.

## **SUB-CHAPTER II**

### **APPOINTMENT AND COMMISSIONING**

#### **Article 3**

1. The head of consular mission and other consular officers shall be appointed in accordance with applicable legislation and sub-normative acts of the Ministry of Foreign Affairs.

2. The signature of the head of the consular mission and of the consular officers shall be deposited at the Ministry of Foreign Affairs and other relevant official authorities of the receiving state.

### **SUB-CHAPTER III**

#### **EXERCISE OF THE COMPETENCIES**

##### **Article 4**

In their activity, the head of consular mission and consular officers are obliged to obey international rules, the Vienna Convention on Diplomatic Relations of the year 1961, the Vienna Convention on Consular Relations of the year 1963, treaties and agreements of the Republic of Kosovo with the receiving state, applicable laws in the consular district and laws applicable in the Republic of Kosovo.

### **SUB-CHAPTER IV**

#### **COMPETENCIES AND CONSULAR DUTIES**

##### **Article 5**

##### **Exercise of Consular Service Functions**

1. The functions of consular services in a consular mission shall be exercised by the consular officer of the consular mission.
2. The consular officer of consular mission shall exercise functions of consular services within the consular district, which may involve the entire territory of a receiving state or parts of it.
3. The functions of consular services, exercised by the consular officer, derive from the competencies and responsibilities vested in a consular mission by the present law.
4. The head of a consular mission may delegate its powers to consular officers of appropriate qualification in the consular mission.
5. In a diplomatic mission, where necessary, the consular services may be exercised by a member of a diplomatic service.
6. Upon consent of the receiving state, the head of consular mission may exercise functions of a consular service that he/she is put in charge also outside its consular district.
7. The supervision during exercising the consular service functions shall be exercised by the head of the competent diplomatic mission for the receiving state.

8. Organization of consular missions as well as the rights and obligations of consular officers shall be defined by secondary acts of the Ministry of Foreign Affairs.

9. In all cases, the relevant rules are valid for legal persons of Kosovo, authorities and other institutions of Kosovo, except in cases when expressly are exempted by the legislation in force.

## **Article 6** **Assisting Citizens of Kosovo**

1. The consular mission may provide assistance it deems appropriate to citizens of Kosovo, situated within the consular district, upon request of a citizen of Kosovo in conformity with international rules, legal acts in force in the receiving state, and law and sub-normative acts of the Republic of Kosovo

2. Assistance, pursuant to paragraph 1 of this Article, shall not be applied for the citizens of Kosovo who at the same time possess the citizenship of the receiving state. They may not benefit from this assistance, except in concrete cases when the circumstances allow assistance provision.

3. Type, form and scale of assistance shall be defined by the head of the consular mission, in accordance with relevant rules and legislation in the receiving state, need for assistance of the Kosovo citizens, and having in consideration the available budgetary resources of the Republic of Kosovo.

4. In exceptional cases, in conformity with sub-normative acts of the Ministry of Foreign Affairs, the necessary financial assistance of the Kosovo citizen may be provided to travel to another state or for repatriation. In such cases, reimbursement of expenses it is mandatory. This obligation shall encumber the inheritance of person who required such assistance.

## **Article 7** **Assisting Kosovo Citizens in Exceptional Circumstances**

In cases when in the receiving state occur natural disasters, political developments, military, revolutionary or such other events that endanger or harm the population in the receiving state or parts of it, the head of the consular mission may take the necessary actions to assist and take under protection the Kosovo citizens endangered or injured. Upon a decision of the Government, this might be the case also for the family members of Kosovo citizens which are not Kosovo citizens.

**Article 8**  
**Assisting the Prisoners and Representation of Kosovo Citizens at Court**  
**Authorities in the Receiving State**

1. The consular officer, in conformity with international rules, this Law and its secondary acts, based on a request shall provide necessary and appropriate assistance and take care of Kosovo citizens who are imprisoned, under investigation or convicted with imprisonment in the receiving state.
2. The head of a consular mission, acting in accordance with international rules and laws and of the legislation in force in the receiving state, may direct to relevant authorities of the receiving state to obtain information for reasons of halt or arrest of Kosovo citizen within its consular district, particularly on charges against them. If necessary, the head of a consular mission may visit the Kosovo citizens halted or arrested within his consular district.
3. The head of a consular mission shall take appropriate measures to facilitate representation of the Kosovo citizen in front of the court authorities or other authorities in the receiving state within his consular district, so a Kosovo citizen may enforce his/her rights

**Article 9**  
**Repatriation of Kosovo Citizens Deceased in the Receiving State**

1. If there are no other possibilities, the head of the consular mission shall take the appropriate measures to positively identify, if necessary, and inform the family members of the Kosovo citizen that died in the receiving state. If, in accordance with the wish of the deceased or of the family members, the body of the Kosovo citizen will be transported home, the head of the consular mission shall assist the family with potential difficulties of paperwork and transportation planning.
2. In case the family of the Kosovo citizen, haven't been introduced and there are no other possibilities left, the head of the consular mission shall require the local authorities in the receiving state to secure the assets or other things of the deceased Kosovo citizen left in the receiving state.
3. If the descendants of the deceased couldn't have been found and there is a long time passed after the assets left from the Kosovo citizen have been secured, the head of the consular mission may take appropriate measures to forward these assets to the relevant authorities of Kosovo in accordance with the applicable legislation in the receiving state.

## **SUB-CHAPTER V**

### **OTHER ADMINISTRATIVE DUTIES**

#### **Article 10**

#### **Processing of Documentation related to Citizenship Issues**

The consular officer of the consular mission shall process documentation on issues related to citizenship in accordance with the legislation in force.

#### **Article 11**

#### **Acceptance of Requests for Issuing Passports and Visas**

1. The consular officer shall accept documentation for issuing of passports and other documents, for the purpose of movement of Kosovo citizens.
2. The consular officer shall accept documentation with regard to visas of various types for movement of foreign citizens across the borders of the Republic of Kosovo
3. Issuance of various types of visas for foreign citizens by the consular missions shall be done in conformity with the decisions and sub-normative acts of the Republic of Kosovo.

#### **Article 12**

#### **Registration of Civil Status Acts**

1. In a consular mission, permitted in advance by a decision of the Minister of Foreign Affairs, the head of the consular mission shall take over functions of civil status officer to maintain and register civil status acts. To fulfill this task, he will maintain the registers of marriages, births and deaths.
2. The head of the consular mission pursuant to paragraph 1:
  - 2.1 Carries out marriages, if this is allowed by the legislation of the receiving state, and if at least one of the spouses it is a Kosovo citizen and shall issue a marriage certificate. Carrying marriages from the head of the consular mission shall be registered in the register of marriages and the Ministry of Internal Affairs shall be informed to carry out further actions;
  - 2.2 Registering in the register of marriages also marriages of Kosovo citizens carried out by relevant authorities of the receiving state, in accordance with the laws in force in the Republic of Kosovo and in the receiving state, based on official certificates.
  - 2.3 Issuing marriage permissions for Kosovo citizens, defined under relevant law of the Republic of Kosovo, if marriage is carried out in the offices of civil status in the consular district of the receiving state, in case one the spouses it is a foreigner.

3. The consular officer, as under paragraph 1, shall register Kosovo citizens, born in the consular district in the birth register, based on official certificates, issued by relevant local authorities.

4. Within time limitations, the relevant acts of the civil status of births, deaths and marriages shall be sent to the Ministry of Internal Affairs in order to forward them to competent authorities of Kosovo.

### **Article 13**

#### **Documentation, Issuance of Certificates to Certify the Documents, Legalization of Official Documents, Translation of Documents**

Documentation, issuance of certificates to certify the documents issued by the authorities of the Republic of Kosovo, legalization of official documents issued by the authorities of the Republic of Kosovo and authorities of the receiving state and translation of documents shall be regulated by secondary acts of the Ministry of Foreign Affairs

### **Article 14**

#### **Delivery of Official Mail**

In accordance with a bi-or multilateral agreement, the consular officer shall take measures to deliver documents and the official mail of the Kosovo citizens or foreigners staying within consular district, or authorities of the receiving state, also within the consular district, upon a request of a court or official authorities of Kosovo.

In case of absence of a bi-or multilateral agreement, the delivery of the official mail shall be arranged through the Ministry of Foreign Affairs of the receiving country.

## **SUB-CHAPTER VI**

### **HONORARY CONSULAR OFFICER**

#### **Article 15**

##### **Appointment, Termination of Mandate, and Competencies of the Honorary Consular Officer**

1. For best possible representation of interests of the Republic of Kosovo, the Minister of Foreign Affairs shall appoint honorary consular officer.

2. Honorary consular officers are an integral part of the structure of the consular service of the Republic of Kosovo.

3. The competencies of the Honorary consular officer shall be stipulated by a separate order of the Minister of Foreign Affairs.

4. Appointment concerns giving the title of Honorary consular officer to a citizen of Kosovo or a foreigner with permanent residency in the receiving state, by the Minister of Foreign Affairs shall issue. Procedure of appointment of a Honorary consular officer shall include:

4.1 Proving thoroughly the need to represent interests of the Republic of Kosovo with a Honorary consular officer within consular district proposed;

4.2 Careful review of adaptability of the candidate for Honorary consular officer;

4.3 Obtaining consent in advance from the receiving state for appointment of the candidate, under review for Honorary consular officer;

4.4 Accepting the exequatur from the receiving state.

5. The Honorary consular officer shall take over to represent interests of the Republic of Kosovo, promptly after receiving exequatur from the receiving state and for as long it is necessary.

6. By a decision of the Minister of Foreign Affairs could be demanded to terminate the mandate of the Honorary consular officer, in case representation of interests of the Republic of Kosovo it is considered not necessary.

7. The Honorary consular officer may at any time request to revoke his title.

8. The title of Honorary consular officer is not inheritable.

9. In case of inability to exercise the function of the best possible representation of interests of the Republic of Kosovo, the honorary consular officer shall immediately notify the Ministry of Foreign Affairs to that effect.

10. The Honorary consular officer must inform the Ministry of Foreign Affairs if employed in another state, except the receiving state, in an international organization or in case filed in an application for another citizenship.

11. To permit initiation of an activity to represent interests of the sending state, the Honorary consular officer shall fit with a relevant exequatur by the Ministry of Foreign Affairs, after presenting his certificate of appointment.



## **SUB-CHAPTER VII**

### **FEES**

#### **Article 16 Consular Fees**

In their consular activity, the head of a consular mission shall provide consular services against taxes in compliance with sub-normative acts of the Ministry of Foreign Affairs and Ministry of Economy and Finance.

## **CHAPTER VIII**

### **FINAL PROVISIONS**

#### **Article 17 Issuance of Secondary Acts**

1. The Ministry of Foreign Affairs shall issue relevant secondary acts pursuant to, and for the implementation of this Law.
2. The Ministry of Foreign Affairs, within 3 (three) months from entry into force of this law, shall approve the Regulation on Consular Service.

#### **Article 18 Entry into force**

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

**Law No. 03/L-125  
16 December 2008**

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

---

**Jakup KRASNIQI**