



**REPUBLIKA E KOSOVËS - PRESIDENTI**  
**REPUBLIC OF KOSOVO - THE PRESIDENT**  
**REPUBLIKA KOSOVO - PRESEDNIK**

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**REGULATION (P) NO. 03/2016**  
**ON THE PROCEDURE OF GRANTING AUTHORIZATIONS BY**  
**THE PRESIDENT FOR THE SIGNING OF INTERNATIONAL**  
**AGREEMENTS AND ON THE PROCEDURE FOR THE**  
**RATIFICATION OF INTERNATIONAL AGREEMENTS BY**  
**THE PRESIDENT**

Pristine, 07.10.2016



**REPUBLIKA E KOSOVËS - PRESIDENTI**  
**REPUBLIC OF KOSOVO - THE PRESIDENT**  
**REPUBLIKA KOSOVO - PRESEDNIK**

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The President of the Republic of Kosovo,  
pursuant to Article 84 of the Constitution of the Republic of Kosovo, Article 6, Article 14 (7) and Article 17 (2.7) of Law no. 03/L-094, on the President of the Republic of Kosovo (Official Gazette no. 47, January 25, 2009), taking into consideration the competencies of the President of the Republic of Kosovo on the granting of authorizations for concluding international agreements of the Republic of Kosovo in Law no. 04/L-052 on International Agreements (Official Gazette no. 28, December 16, 2011), and taking into consideration the proposal of the Secretary of the Office of the President of the Republic of Kosovo, approves:

**REGULATION (P) NO. 03/2016**  
**ON THE PROCEDURE OF GRANTING AUTHORIZATIONS BY THE PRESIDENT**  
**FOR THE SIGNING OF INTERNATIONAL AGREEMENTS AND ON THE**  
**PROCEDURE FOR THE RATIFICATION OF INTERNATIONAL AGREEMENTS BY**  
**THE PRESIDENT**

**CHAPTER I – GENERAL DISPOSITIONS**

**Article 1**  
**Purpose**

1. This regulation aims to define the procedure for:
  - 1.1. the granting of authorizations by the President to perform acts relating to the conclusion of International Agreements;
  - 1.2. the granting of authorization by the President to conclude international agreements, which enter into force on the date of signature, and
  - 1.3. the ratification of international agreements by the President.

## **Article 2**

### **Scope**

This regulation is implemented by the Department of International Relations and Legal Issues within the Office of the President, for all the requests addressed to the President on the granting of authorizations to conclude international agreements and the ratification of international agreements.

## **Article 3**

### **Definitions**

1. Expressions used in this law shall have the following meaning:
  - 1.1. **President** implies the President of the Republic of Kosovo;
  - 1.2. **Assembly** implies the Assembly of the Republic of Kosovo;
  - 1.3. **Authorization** implies the document issued by the President through which he/she appoints one or several persons to represent him/her in negotiations or the signing of International Agreement;
  - 1.4. **Ratification** implies the act by which the President of behalf of the Republic of Kosovo, on international level, gives his/her consent for the conclusion of an international agreement, in accordance with Constitution of Republic of Kosovo
  - 1.5. **The Law on international agreements** implies Law no. 04/L-052 on international agreements (Official Gazette no. 28, December 16, 2011);
  - 1.6. **State Agency or Respective State Agency** implies the institution, whose area of competencies covers the scope of activity of the agreement;
  - 1.7. **Department for Legal Issues (DLI)** implies the Department of International Relations and Legal Issues within the Office of the President;
  - 1.8. **Respective legal officer** implies the employee in the Department of Legal Issues.

## **CHAPTER II – THE GRANTING OF AUTHORIZATIONS BY THE PRESIDENT TO PERFORM ACTS RELATED TO THE CONCLUSION OF INTERNATIONAL AGREEMENTS**

### **Article 4**

#### **The competence on the granting of authorizations to perform acts related to the conclusion of international agreements**

The competence to perform acts related to the conclusion of the international agreements of the Republic of Kosovo, dealing with: the territory, peace, alliances, political and military issues; fundamental rights and freedoms; the membership of the Republic of Kosovo in international

organizations; taking over financial obligations by the Republic of Kosovo, is authorized by the President upon recommendation by the Government.

## **Article 5**

### **Decision by the Government to recommend the granting of authorizations by the President**

The recommendation addressed to the President of the Republic of Kosovo, for granting the authorizations to perform the acts related to the conclusion of the international agreements of the Republic of Kosovo, as defined in Article 4 of this regulation, shall be made once the Decision by the Government is issued to recommend the granting of powers by the President.

## **Article 6**

### **Request for the granting of authorizations by the President**

1. To the request for the granting of authorizations by the President, which is submitted by the Government, in paper and electronic form, the following documents should be attached:
  - 1.1. The Decision by the Government on the request for the granting of authorizations by the President;
  - 1.2. The explanatory letter about the international agreement, that includes but is not limited to opinions submitted by ministries or state agencies during the review period;
  - 1.3. The text of the international agreement in Albanian and Serbian and, where necessary, in the relevant foreign language.

## **Article 7**

### **Review of requests**

1. The recommendation by the Government, addressed to the President, for granting the authorization to perform the acts related to the conclusion of the international agreement, is reviewed by the Department of Legal Issues, respectively the appropriate legal officer appointed by the director of the department.
2. If the recommendation is not in accordance with the relevant legislation or is not completed according to the legislation in force, the Department of Legal Issues returns the recommendation to the proposer and requires the filling in of the request or its amendment and informs the Cabinet of the President about this.
3. If the recommendation is in accordance with the legislation in force, the Department of Legal Issues prepares a draft authorization according to Annex one (1) (Authorization to perform the acts related to the conclusion of the international agreement) of the Regulation and together with the Legal Opinion sends it for signature to the President.

**Article 8**  
**Deadline for the grant of the authorization**

As defined in the Law on International Agreements, the President grants the authorization, within the period of fifteen (15) working days, from the date of receipt of the request by the Government.

**Article 9**  
**Signing of the authorization**

The authorization to perform the acts related to the conclusion of the international agreement, is signed by the President in the original copies needed.

**Article 10**  
**Sending the authorization**

1. After the signing of the authorization by the President, the Department for Legal Issues sends the authorization to the Assembly, the Government, respectively to the relevant ministry or state agency and the Ministry of Foreign Affairs.

The information about the authorizations by the President are stored and administered at the Ministry of Foreign Affairs, as defined in the Law on International Agreements.

**Article 11**  
**Register on the granted authorizations on the performance of the acts related to the conclusion of the international agreement**

1. The Department for Legal Issues, maintains the Register on the granted authorizations on the performance of the acts related to the conclusion of the international agreement.

2. The Director of the Department for Legal Issues appoints the appropriate legal officer who will be responsible for maintaining and updating the specified registry in paragraph one (1) of this Article.

### **CHAPTER III – THE GRANT OF AUTHORIZATION BY THE PRESIDENT ON THE PERFORMANCE OF ACTS RELATED TO THE CONCLUSION OF THE INTERNATIONAL AGREEMENTS WHICH ENTER INTO FORCE ON THE DATE OF SIGNATURE**

#### **Article 12**

##### **The competence to conclude international agreements, which enter into force on the day of signature**

The competence to conclude international agreements of the Republic of Kosovo, which enter into force on the date of signature, are authorized by the President following the recommendation of the ministry or state agency, whose competency is the drafting of the international agreement,

#### **Article 13**

##### **Prior consent from the Ministry of Foreign Affairs**

The recommendation, addressed to the President the Republic of Kosovo, for granting authorization to conclude international agreements of the Republic of Kosovo, which enter into force on the date of signature, is made after the Ministry of Foreign Affairs has given the prior consent for this relevant agreement.

#### **Article 14**

##### **Request for the grant of authorization by the President**

1. To the request addressed to the President, for granting authorization to perform the acts related to the conclusion of the international agreements, which enters into force upon signature, the ministry or state agency shall attach the following documents:
  - 1.1. The prior consent of the Ministry of Foreign Affairs on the respective international agreement and the decision of the Ministry of Foreign Affairs on the period of the conclusion of the international agreement;
  - 1.2. The explanatory letter of the international agreement which includes but is not limited to the opinions submitted by the ministries or state agencies during the review period;
  - 1.3. The text of the draft international agreement in Albanian and Serbian, and if necessary, in the relevant foreign language.

**Article 15**  
**Review of requests**

1. The request addressed to the President, for granting the authorization to perform the acts related to the conclusion of the international agreement, which enters into force upon signature, is reviewed by the Department of Legal Issues, respectively the appropriate legal officer appointed by the director of the department.
2. If the request is not in accordance with the relevant legislation or is not completed according to the legislation in force, the Department of Legal Issues returns the request to the proposer and requires the filling in of the request or its amendment and informs the Cabinet of the President about this.
3. If the request is in accordance with the legislation in force, the Department of Legal Issues prepares a draft authorization according to Annex two (2) (Authorization to perform the acts related to the conclusion of the international agreement which enters into force upon signature) of the Regulation and together with the Legal Opinion sends it for signature to the President.

**Article 16**  
**Deadline for the grant of the authorization**

As defined in the Law on International Agreements, the President grants the authorization, within the period of fifteen (15) working days from the date of receipt of the request by the Government, respectively the relevant ministry or state agency.

**Article 17**  
**Signing of the authorization**

The authorization to perform the acts related to the conclusion of the international agreements, which enters into force upon signature, is signed by the President in the original copies needed.

**Article 18**  
**Sending the authorization**

1. After the signing of the authorization by the President, the Department for Legal Issues sends the authorization to the relevant ministry or state agency and the Ministry of Foreign Affairs
2. The information about the authorizations by the President are stored and administered at the Ministry of Foreign Affairs, as defined in the Law on International Agreements.

## **Article 19**

### **Register on the granted authorizations on the performance of the acts related to the conclusion of the international agreement which enters into force upon signature**

1. The Department for Legal Issues, maintains the Register on the granted authorizations on the performance of the acts related to the conclusion of the international agreement which enters into force upon signature.
2. The Director of the Department for Legal Issues appoints the appropriate legal officer who will be responsible for maintaining and updating the specified registry in paragraph one (1) of this Article.

## **CHAPTER IV - RATIFICATION OF THE INTERNATIONAL AGREEMENT BY THE PRESIDENT**

### **Article 20**

#### **Ratification of the international agreement by the President**

The international agreements of the Republic of Kosovo, except for those which are ratified by law voted by two thirds (2/3) of all deputies of the Assembly, are ratified after the signing by the President.

### **Article 21**

#### **Request on the ratification of the international agreement**

1. The request on the ratification of the international agreement, defined in Article 20, is sent by the Ministry of Foreign Affairs to the President, attaching the following documents:
  - 1.1. The text of the international agreement in Albanian and Serbian, and if necessary, in the relevant foreign language
  - 1.2. The explanatory letter of the international agreement, which includes but is not limited to the opinions submitted by the ministries or state agencies during the review period;
  - 1.3. The project of the decree of the President on the ratification of the agreement by the President, according to the form attached in Annex three (3) (Decree on the ratification of the international agreement) of this Regulation.

### **Article 22**

#### **Review of requests**

1. The request, addressed to the President, on the ratification of the international agreement, is reviewed by the Department of Legal Issues.



2. If the request is not in accordance with the relevant legislation or is not completed according to the legislation in force, the Department of Legal Issues returns the recommendation to the proposer and requires the filling in of the request or its amendment and informs the Cabinet of the President about this.

3. The Department for Legal Issues, after reviewing the relevant request, if it is in accordance with the legislation in force, prepares a draft decree on the ratification of the international agreement and together with the Legal Opinion sends it for signature to the President.

### **Article 23**

#### **Register on Presidential Decrees on the ratification of the international agreement**

1. The Department for Legal Issues, maintains the Register of Decrees awarded by the President on the ratification of the international agreement.

2. The Director of the Department for Legal Issues appoints the appropriate legal officer who will be responsible for maintaining and updating the specified registry in paragraph one (1) of this Article.

## **CHAPTER V- FINAL DISPOSITIONS**

### **Article 24**

#### **Publication of the international agreements of the Republic of Kosovo**

1. The decrees on the ratification of international agreements and granted authorizations to perform the acts related to the conclusion of the international agreement are sent to the Ministry of Foreign Affairs.

2. The Ministry of Foreign Affairs in accordance with Article 20 (2) of the Law on International Agreements sends one printed copy and one electronic copy of the international agreement, in Albanian and Serbian, to the Official Gazette of the Republic of Kosovo and carries out the other obligations specified by the legislation in force.

### **Article 25**

#### **Annexes**

1. Also part of this regulation are the following annexes:

1.1. Annex one (1) - Authorization on performing the acts related to the conclusion of the international agreement;

1.2. Annex two (2) - Authorization on performing the acts related to the conclusion of the international agreement which enters into force upon signature, and

1.3. Annex three (3) – Decree on the ratification of the international agreement.

2. The Department for Legal Issues, in special and specific cases uses the attached annexes adopting it to the case and the designed specifications.

**Article 26**  
**Entrance into force**

This Regulation shall enter into force thirty (30) days after signature.

**Hashim THAÇI,**  
**President of the Republic of Kosovo**

Pristine, 07.10.2016

**Annex 1-** Authorization on performing the acts related to the conclusion of the international agreement



**REPUBLIKA E KOSOVËS – PRESIDENTI**  
**REPUBLIC OF KOSOVO – THE PRESIDENT**  
**REPUBLIKA KOSOVO – PREDSIEDNIK**

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**AUTHORIZATION ON PERFORMING THE ACTS RELATED TO THE  
CONCLUSION OF THE INTERNATIONAL AGREEMENT**

No. \_\_\_\_/----

The President of the Republic of Kosovo,  
pursuant to Article 84 of the Constitution of the Republic of Kosovo, Article 6 of Law No. 03/L-094 on the President of the Republic of Kosovo (Official Gazette no. 47, January 25, 2009), and Article 7 (paragraphs 1, 8 and 9) of Law No. 04/L-052 on International Agreements (Official Gazette no. 28, December 16, 2011), and considering the request of the Government of the Republic of Kosovo (Government Decision No. xx/xx, --.--.-----):

**A U T H O R I Z E S**

XX Head of the relevant State Agency, to perform the acts related to the conclusion of the international agreement (name of the Agreement), between XXXXX and XXXXX.

\_\_\_\_\_  
**President of the Republic of Kosovo**

Prishtina, on --.----.---

***Authorization to be sent to:***

- *The President of the Assembly of Kosovo;*
- *The Prime Minister of the Republic of Kosovo;*
- *The Minister of the relevant Ministry or the Head of the relevant State Agency;*
- *The Minister of the Ministry of Foreign Affairs;*
- *a/a*

**Annex 2 - Authorization on performing the acts related to the conclusion of the international agreement which enters into force upon signature**



**REPUBLIKA E KOSOVËS - PRESIDENTI  
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**AUTHORIZATION ON PERFORMING THE ACTS RELATED TO THE  
CONCLUSION OF THE INTERNATIONAL AGREEMENT WHICH ENTERS INTO  
FORCE UPON SIGNATURE**

No. \_\_\_\_/----

The President of the Republic of Kosovo,  
pursuant to Article 84 of the Constitution of the Republic of Kosovo, Article 6 of Law No. 03/L-094 on the President of the Republic of Kosovo (Official Gazette no. 47, January 25, 2009), and Article 7 (paragraphs 3, 7, 8 and 9) of Law No. 04/L-052 on International Agreements (Official Gazette no. 28, December 16, 2011), and considering the prior Consent of the Ministry of Foreign Affairs on the relevant international agreement and the Decision of the Ministry of Foreign Affairs on the period of the conclusion of the international agreement (xx):

**A U T H O R I Z E S**

XX Head of the relevant State Agency, to perform the acts related to the conclusion of the international agreement (name of the Agreement), between XXXXX and XXXXX which enters into force upon signature.

\_\_\_\_\_  
**President of the Republic of Kosovo**

Prishtina, on --.---.---

***Authorization to be sent to:***

- *The Minister of the relevant Ministry or the Head of the relevant State Agency;*
- *The Minister of the Ministry of Foreign Affairs;*
- *a/a*

**Annex 3 – Decree on the ratification of the international agreement**



**REPUBLIKA E KOSOVËS - PRESIDENTI**  
**REPUBLIC OF KOSOVO - THE PRESIDENT**  
**REPUBLIKA KOSOVO - PRESEDNIK**

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**DECREE ON THE RATIFICATION OF THE INTERNATIONAL AGREEMENT**

Decree No.: DMN – OXX (following number) - Year

No. \_\_\_\_/----

The President of the Republic of Kosovo,  
pursuant to Article 18 and 84 of the Constitution of the Republic of Kosovo, Article 6 of Law No. 03/L-094 on the President of the Republic of Kosovo (Official Gazette no. 47, January 25, 2009), Article 10 (4) of Law No. 04/L-052, on International Agreements (Official Gazette no. 28, December 16, 2011), and Article 4 (3) of Law No. 03/L-044 on the Ministry of Foreign Affairs and Diplomatic Service of the Republic of Kosovo (Official Gazette no. 26, June 2, 2008), and considering the request of the Ministry of Foreign Affairs addressed to the President, on \_\_\_\_\_:

**DECREES**

The ratification of Agreement XXXXX, signed between the Republic of Kosovo and XXXX, on XXXXX, and received in the Office of the President of the Republic of Kosovo on \_\_\_\_\_.

Pursuant to Article 18, paragraph 3 of the Constitution of the Republic of Kosovo, the ratified agreement shall be forwarded to the Assembly of the Republic of Kosovo as a notification

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**President of the Republic of Kosovo**

Prishtina, on ---.---.---

***Decree to be sent to:***

- *The President of the Assembly of Kosovo;*
- *The Minister of the Ministry of Foreign Affairs;*
- *a/a*