

Law No.03/L –179

ON RED CROSS OF REPUBLIC OF KOSOVA

Assembly of Republic of Kosovo,

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

Approves

LAW ON RED CROSS OF REPUBLIC OF KOSOVA

Article 1

The objective of the Law

This Law regulates the status, functions and financial sources of the Red Cross of Kosovo.

Article 2

Field of application

1. Red Cross of Kosovo is the only National Society of the Red Cross in the Republic of Kosovo, which carries out its voluntary, humanitarian and non profitable activities in the whole territory of Kosovo.
2. Red Cross of Kosovo acts as an auxiliary to the government on humanitarian issues in the whole territory and enjoys support from Government Institutions.
3. Red Cross of Kosovo, in times of peace and in times of war, carries out activities according to Geneva Conventions of 12 August 1949, their Additional Protocols of 1977 and 2005, the Statutes of the International Red Cross and Red Crescent Movement and the Statutes of Red Cross of Kosovo.

Article 3

Definitions

1. The terms used in this law have the following meaning:
 - 1.1 **International Red Cross and Red Crescent Movement** - a global Movement made up of: the International Committee of the Red Cross, National Societies and the International Federation of Red Cross and Red Crescent Societies.
 - 1.2 **Societies** - auxiliary mechanisms to the public authorities of its own country in the humanitarian field and provide a range of services including disaster relief, health and social programs.
 - 1.3 **International Committee of the Red Cross** - an impartial, neutral and independent organisation whose humanitarian mission is to protect the lives and dignity of victims of war and internal violence and to provide them with assistance.

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1.4 International Federation of Red Cross and Red Crescent Societies - the world's largest humanitarian organization. Its mission is to improve the lives of vulnerable people by mobilizing the power of humanity. The Federation carries out relief operations to assist victims of disasters, and combines this with development work to strengthen the capacities of its member National Societies.

1.5 Fundamental Principles - the Principles of the Movement as defined by the International Conference of the Red Cross and Red Crescent and they are: Humanity, Impartiality, Neutrality, Independence, Voluntary Service, Unity and Universality.

Article 4

Application of the Fundamental Principles

1. Red Cross of Kosovo fulfils its mission based on the Fundamental Principles of the International Movement of the Red Cross and Red Crescent.
2. Government Institutions should at any time and circumstances respect the adherence of the Red Cross of Kosovo to the Fundamental Principles of the International Red Cross and Red Crescent Movement as required by the resolution 55 (I) of the General Assembly of United Nations adopted on November 19th 1946.

Article 5

Activity

1. Red Cross of Kosovo develops humanitarian activities in the field of dissemination about the Red Cross and Red Crescent Movement, promotion and health education of population, social protection, and respect of the international humanitarian law, human rights protection and promotion of humanitarian values.
2. Red Cross of Kosovo shall perform special tasks in the situations of natural disasters, ecological and other disaster of great impact, epidemics and armed conflicts.
3. In case of an armed conflict the Red Cross of Kosovo shall fulfil its obligations in accordance to the Geneva Conventions of 12 August 1949 for protection of war victims and Additional Protocols.
4. Red Cross of Kosovo, carries out activities in accordance with the legislation in force of the Republic of Kosovo, Fundamental Principles of the International Red Cross and Red Crescent Movement, its Statutes and Rules, International treaties, Resolutions approved at the International Conference of the Red Cross and the Red Crescent and other documents of the International Red Cross and Red Crescent Movement.
5. Red Cross of Kosovo at all time acts in accordance with the rules of International Humanitarian Law.
6. The scope of activities and internal organisation of Red Cross of Kosovo is regulated by the Statutes which are approved by the Assembly of Red Cross of Kosovo and internal regulations.

Article 6
The symbols of the Red Cross of Kosovo

1. The emblem of the Red Cross of Kosovo is a red cross with five (5) equal squares on white background.
2. The flag of the Red Cross is white linen in quadrate form with the Red Cross emblem in the middle whose size is in proportion with the size of the flag.
3. The use of the Red Cross of Kosovo emblem and name is regulated by special law in conformity with the 1949 Geneva Conventions, their Additional Protocols, the 1991 Regulations on the use of the emblems by the National Societies.

Article 7
Mission of Red Cross of Kosovo

The mission of Red Cross of Kosovo is to alleviate the suffering of individuals and the communities at risk through focused programs, with priority and sustainability as an auxiliary to the central and local authorities, in accordance with the Fundamental Principles of the International Red Cross and Red Crescent Movement.

Article 8
The character and International Cooperation

1. Red Cross of Kosovo is bound to fulfil the duties as a component of the International Red Cross and Red Crescent Movement and as a member of the International Federation of Red Cross and Red Crescent Societies.
2. Red Cross of Kosovo cooperates and develops relations with the components of the International Red Cross Red Crescent Movement and international and national humanitarian, health and social organisations

Article 9
Cooperation with national institutions

1. Red Cross of Kosovo cooperates with state authorities at all levels, including legal and natural person.
2. To fulfil its duties, Red Cross of Kosovo can request data and information from different institutions if this helps its activities according to previous paragraph.

Article 10
Duties

1. Red Cross of Kosovo has the following duties:
 - 1.1. to act according to the Geneva Conventions of 12 August 1949 and their Additional Protocols seeking to provide assistance to war victims in time of armed conflict as well as in time of peace;
 - 1.2. to alleviate the social suffering of the vulnerable population through organising solidarity actions in cooperation with national and international partners;

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- 1.3. to request, accept and distribute humanitarian assistance of international organizations, National Red Cross and Red Crescent Societies, and other donors, for the needs of population living in the Republic of Kosovo;
- 1.4. in case of need organizes and provides humanitarian aid to foreign countries;
- 1.5. to contribute to health protection of population through organisation of health programs, promotion, health education training, first aid and other different projects of this field;
- 1.6. to train and certify the trainers of the first aid program;
- 1.7. to train and certify in First Aid the candidates applying for driving licence according to the law on Safety in Traffic;
- 1.8. to organize activities for increasing the awareness of population for voluntary blood donation in cooperation with National Blood Transfusion Centre;
- 1.9. to implement activities of the tracing services according to Article 11 of this Law;
- 1.10. to disseminate knowledge on international humanitarian law and the fundamental principles of International Red Cross and Red Crescent Movement;
- 1.11. to cooperate with the public authorities to ensure respect for international humanitarian law and to protect the red cross, red crescent and red crystal emblem;
- 1.12. to raise awareness of population about mine and UXO danger;
- 1.13. to engage youth in implementing Red Cross of Kosovo activities;
- 1.14. to manage the property and assets of Red Cross of Kosovo;
- 1.15. to enable citizens for domestic care of the sick people and to organize domestic services;
- 1.16. to perform other tasks, based on the needs and in accordance with the law.

Article 11
Tracing Service

1. The tracing service operates within the Red Cross of Kosovo and:
 - 1.1. assists in restoring family links when people are separated from, or without news of, their family members as a result of armed conflict, other situations of violence, natural disaster or other situations requiring a humanitarian response;
 - 1.2. responsible for managing an effective national network aiming at restoring family links in accordance with the relevant provisions of the Statutes and resolutions of the International Red Cross and Red Crescent Movement and of the 1949 Geneva Conventions;

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- 1.3. pursues activities of restoring family links comprising prevention of disappearances and separation, restoration and maintenance of contact between family members and clarification of the fate of missing persons;
- 1.4. as a component of the worldwide Red Cross and Red Crescent family links network, the Red Cross of Kosovo acts in accordance with established working practices for tracing services and in collaboration with the Central Tracing Agency of the ICRC and the tracing services of other National Societies.

Article 12
Traditional activities

1. Red Cross of Kosovo organizes the following traditional activities:
 - 1.1. Annotation of 27 April, Day of Missing Persons in Kosovo;
 - 1.2. Solidarity with Day of Orphan Children on May 20th;
 - 1.3. Red Cross week from 8-15th of May;
 - 1.2. Week against tuberculoses, from 14-21st of September; and
 - 1.3. Solidarity in Action during the whole of month of October.

Article 13

1. During the Red Cross Week, Week against tuberculosis and the Month of Solidarity the following contributions are to be paid to the Red Cross of Kosovo:
 - 1.1. (three percent) 3% from the ticket price in intercity, international, air, railway and road traffic;
 - 1.2. (three percent) 3% from the value of post stamps in all deliveries apart from newspapers and magazines;
 - 1.3. (three percent) 3% from the price of all the tickets sold to cinematography, theatre, concerts, festivals, fairs and sport events;
 - 1.4. during activities foreseen by Article 10, paragraph 1.2, 1.3 and 1.4 and Article 12, the Red Cross of Kosovo organizes actions of gathering donations from the population.

Article 14
Financial resources

1. For the purpose of fulfilling its tasks and objectives stipulated by this Law, the Red Cross of Kosovo shall acquire means from the following sources:
 - 1.1. membership with the Red Cross of Kosovo;
 - 1.2. activities which are entrusted to Red Cross of Kosovo, by Republic of Kosovo, natural and legal persons;
 - 1.3. traditional activities;

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- 1.4. contributions (donations) done by natural and legal persons of the republic of Kosovo and foreign countries;
- 1.5. incomes from properties and rights of Red Cross of Kosovo;
- 1.6. incomes from implementation of programs contracted with cooperation agreements with respective ministries;
- 1.7. obligatory insurance of the vehicles 1% (one percent) from gross prim of the value of vehicle insurance;
- 1.8. from the divided fund for humanitarian support from Lottery of Kosovo, in accordance with law in force;
- 1.9. Red Cross of Kosovo shall not accept donations directly stemming from revenues of activities contrary to the Fundamental Principles of the International Red Cross and Red Crescent Movement.

Article 15
Financial management

1. The financial means gathered on the bases of this law, should be deposited in the Red Cross of Kosovo bank account.
2. The financial means should be deposited not longer than thirty (30) days from deposition day in the concerned institutions.
3. All the means will be used for developing the programs with humanitarian aims in accordance with Fundamental Principles of the International Red Cross and Red Crescent Movement.

Article 16
Institutional support

1. The Government of Kosovo shall provide resources to the Red Cross of Kosovo to act as their auxiliary in the humanitarian field for fulfilling the tasks described in Article 10 of this Law.
2. The Government of the Republic of Kosovo may adopt sub-normative acts upon the requests from the Kosovo Red Cross of Kosovo.

Article 17
Facilitation

1. The Red Cross of Kosovo is exempted from:
 - 1.1 custom taxes, taxes and obligations on the means that it generates according to this law, including means described as humanitarian assistance in accordance with law in force.
 - 1.2. payment of fees for submissions to the authorities.
 - 1.3. postal costs for tracing service
 - 1.4. from all payments of postal services in case of disasters

2. Red Cross of Kosovo shall be charged at a household rate for payment of utility and telephone bills used while performing their activities.

Article 18

Supervision of the application of this Law is done by the relevant ministries, in compliance with their competences.

Article 19 **Punitive provisions**

For not respecting the obligations from Article 13 sub-paragraphs 1.1, 1.2, 1.3 and Article 14, paragraphs 1.7, 1.8, 1.9, Competent Court for violations fines with cash, the legal persons in the amount from one thousand (1000) to three thousand (3000) Euros while the natural person respectively legal representatives of the natural persons in amount from five hundred (500) to one thousand (1000) Euros.

Article 20 **Annulment of legal acts**

With entry into force of this law, all legal provisions that regulate this field are annulled.

Article 21 **Entry into force**

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

Law No.03/L –179
10 June 2010

Promulgated by the Decree No. DL-025-2010, dated 02.07.2010, of the President of Republic of Kosova,
Dr. Fatmir Sejdiu