



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

Law No. 04/L-054

**ON THE STATUS AND THE RIGHTS OF THE MARTYRS,
INVALIDS, VETERANS, MEMBERS OF KOSOVA LIBERATION
ARMY, CIVILIAN VICTIMS OF WAR AND THEIR FAMILIES**

Assembly of Republic of Kosovo,

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

Approves:

**THE LAW ON THE STATUS AND THE RIGHTS OF THE
MARTYRS, INVALIDS, VETERANS, MEMBERS OF KOSOVA
LIBERATION ARMY, CIVILIAN VICTIMS OF WAR AND THEIR
FAMILIES**

Article 1

Aim

The purpose of issuing this Law is to determine the status and financial support through pensions and special benefits for categories of the war emerged from the KLA, who with their contribution and sacrifice were crucial factors for freedom and liberation of the country.

Article 2

Scope of Application

1. This law regulates and determines:
 - 1.1. the status of the martyrs, the missing of the KLA, the invalids, veterans, members of the KLA and their close family members;
 - 1.2. the rights and special benefits of the martyr's family members, invalids, veterans, families of veterans and dead invalids, KLA members taken hostage or missing and their close family members, and administrative procedures for realization of these rights.
 - 1.3. the status and the rights of civilian victims, civilian persons disabled in the war and the families of those taken hostage or civilian persons missing in the war.

Article 3 **Definitions**

1. Terms used in this Law shall have the following meanings:
 - 1.1. **KLA** - the Kosovo Liberation Army;
 - 1.2. **GH** - General Headquarter of the KLA;
 - 1.3. **AMF** - Associations of the Martyrs' Families of the KLA;
 - 1.4. **OWV** - the Organization of the War Veterans of the KLA;
 - 1.5. **WDA** - the War Disabilities Association of the KLA;
 - 1.6. **National Martyr** - the member of KLA who:
 - 1.6.1. has died in war for liberation of the country from 1997-1999;
 - 1.6.2. was wounded in the war for liberation of the country in period 1997-1999 and has died from the wounds within three (3) years.
 - 1.7. **KLA Invalid** – KLA member, whose body has been damaged over 20% due to a wound, injury or disease that has suffered in the war or as deported (imprisoned) in prisons or camps of enemy and foreign citizen as veteran of the KLA, from 1997-1999;
 - 1.8. **Civilian Invalid of War** - the person, whose organism has been damaged at least 40% due to a wounds received from weapons, disease acquired in the camps or prisons during the recent war in Kosovo, since 27.02.1998 till 20.06.1999, and other persons, whose organism has been damaged at least 40% as a result of explosive devices left after the end of war;

1.9. **A Veteran of KLA** - the citizen of Kosovo and the foreign citizen who has become a member of KLA and has been registered as a soldier by the commands (headquarters of the operative zones of KLA), respectively the General Headquarter of the KLA, during the period 1997-1999;

1.10. **Civilian Victim of War** - the person who has died or got wounded, by the enemy forces from period 27.02.1998 up to 20.06.1999, as well as the persons who have suffered as a consequence of the war within three (3) years after the war ended from explosive devices left out from the war;

1.11. **War Hostage** - the veteran and the member of the KLA which during the Kosovo liberation war has been arrested and imprisoned in camps for at least three (3) days respectively seventy two (72) hours;

1.12. **Civilian Hostage of the war** - the civilian person, who during the war has been arrested and imprisoned in enemy camps for at least three (3) days respectively seventy two (72) hours;

1.13. **Missing (not found) KLA Soldier** - the veteran and the member of the KLA whose fate has not been disclosed yet;

1.14. **Missing Civilian Person** - a person whose whereabouts is unknown to his or her family members and who based on reliable information was reported missing during the period between 1 January 1998 and 31 December 2000, as a consequence of the war in Kosovo during 1998-1999;

1.15. **Members of close family** in terms of this law are: husband, wife, children, children out of wedlock, the adopted children (foster), parents, step father, step mother, stepchild and extramarital husband/wife;

1.15.1. the status of the out-of-marriage community according to this Law is determined by out contentious judicial procedure.

1.16. **Family of the Martyr of the Nation** – a family that has given for Kosovo one or more martyrs.

1.17. **OPM** - the Office of the Prime Minister;

1.18. **OICW** - Office for the Issues of Categories of the War;

1.19. **Ministry** - the respective Ministry of Labour and Social Welfare;

1.20. **KPC** - Kosovo Protection Corps;

1.21. Former Ministry of Defense – Ministry of Defense of Former Government of Kosovo in exile.

Article 4
Realization of the right to pension and benefits

Depending on the recognition and adjustment of the status, the categories addressed in this Law, through the recognition of the right to pension and different benefits, shall be provided financial support and certain benefits for the given contribution in the KLA war.

Article 5
Types of Pensions

1. In accordance with the recognition and determination of status for the categories turned out from war, pensions defined in this Law are:

1.1. **Family pension** which is realized by:

1.1.1. martyr's close family,

1.1.2. close family member of the missing KLA,

1.1.3. close family of the civilian victim of war,

1.1.4. close family of the missing civilian person, and

1.1.5 family pension is realized by the close family for the martyrs and missing persons during the 1997-1999.

1.2. **Personal disability pension** which is realized by:

1.2.1 KLA invalid; and

1.2. civil war invalid, in accordance with conditions and criteria defined in this Law;

1.3. **Family disability pension** which is realized by the close family after the death of invalid, in accordance with conditions and criteria defined in this Law;

1.4. the beneficiaries of pensions under paragraph 1.1, 1.2 and 1.3 of this Article, may not be the beneficiaries of any other pension from other pensional scheme applicable in Kosovo, unless otherwise defined in this Law.

Article 6

Special benefits

1. Categories treated in this Law, depending on the status and criteria determined in this Law, due to the sublime sacrifice and highest contributions in the liberation war of the KLA, are also beneficiaries of special benefits, which are:

1.1. supplements for care and assistance from the other person is the right realized by the KLA invalid and invalid of the civilian war with the degree of disability over 80%;

1.2. medical and physical rehabilitation is the right realized by all KLA disabled, on the degree of disability according to the priority;

1.3. primary, secondary and tertiary health services, are rights realized without compensation in public health institutions by martyrs` families, families of missing of the KLA, KLA invalids, as well as by members of their close families;

1.4. hospital health services abroad, are the right which realizes without compensation, all KLA invalids if the disease is in question which can not heal in our country;

1.5. health services abroad, are the rights enjoyed by the civil war invalids due to the deterioration of health conditions, that is a consequence of the war and for which there is no healing in our country;

1.6. professional rehabilitation is the right realized by the KLA invalid, civilian invalid of the war, who are partially able to work, including vocational training to perform the jobs for which is required professional preparation of higher level than the one they had, no matter if the employment is provided to them after the professional rehabilitation;

1.7. the orthopedic compensation is a right to provide orthopedic means for KLA invalids and civilian invalids of war, who have a damaged organism due to wounding or amputation of extremities;

1.8. priority in employment in the public and private sector, in accordance with the Law no. 03/L-19 for training, professional rehabilitation and employment of persons with disabilities, is the right realized by the KLA invalids.

2. The release from tax and customs of special vehicles for personal use (a car in every five (5) years) as well as orthopedic equipments are the rights realized by the KLA invalids of group I to group VII according to the degree of disability determined in Article 10 of this Law.

3. Free tariff and reduced consumption of electricity for personal use, is the right enjoyed by the close families of the martyrs and KLA invalids in case of difficult economic conditions, when it fulfills criteria set up in the scheme of social assistance.
4. Release from the property tax is the right realized by the martyrs' families, families of the missing of the KLA, KLA invalids, civil war disabled and the families of civilian victims of war who are in difficult economic conditions.
5. Duplex experience is the right realized by the disabled as unemployed or employed for the time spent in the war.
6. Residential care is the right realized by the martyrs families, of the KLA missing persons, KLA invalids who are in difficult economical conditions, civil war invalids and close families of civil war victims, for whom the Government of Kosovo will be engaged for the provision of family housing through construction of collective social housing;
 - 6.1. priority in the realization of the right to family housing will have martyrs' close families and those of missing persons, invalids who have not resolved the family housing.
7. Priority in the registration and admission to public educational institutions is the right realized by the people that are members of martyrs' families, to the KLA missing persons, KLA invalids and their families.
8. Release from administrative payment expenses in public university education is the right realized by members of martyrs' families, to the KLA missing persons, KLA invalids and their families.
9. Funeral expenses, transportation and military honors, are expenses and mortal ceremonial acts which shall be compensated by the Ministry after the excimation procedures and identification of missing soldier of the KLA.

Article7

Priorities in realization of the rights and benefits

1. Priorities in the realization of rights, between the close family members under this law, beneficiaries realize them in accordance with legal provisions of the Law on Heritage. Family members of the same heritage range, will realize the rights under mutual agreement.
2. If the agreement is not reached, the priority in realization of the right has a member of the close family from the same heritage range, who with the person from whom is realized the right, has lived in the same family community.

Article 8

The right to pension and benefits for the martyr's families and missing of the KLA

1. Close family members of the martyrs and of missing of the KLA, under the conditions and criteria determined in this Law, shall realize the following rights and benefits:

- 1.1. the right to family pension;
- 1.2. priority in employment on an equal basis;
- 1.3. advantage in registration and admission to public educational institutions in equal condition with others;
- 1.4. grants for the secondary and university education;
- 1.5. placement in the dormitories without compensation;
- 1.6. caring for family housing;
- 1.7. free tariff and reduced consumption of electricity for personal use in case of difficult economic conditions, when it fulfills criteria set up in the scheme of social assistance;
- 1.8. release from the payment of court, administrative and public fees;
- 1.9. free primary, secondary and tertiary health care, in institutions of public health;
- 1.10. placement without compensation in dorms for elderly persons;
- 1.11. release from administration payments in public university education;
- 1.12. release of payments in public urban and inter urban traffic.

2. These rights shall be realized by all families of the nation martyr, fallen in different forms for the freedom of the country in different historical periods.

3. Spouse that binds new marriage loses the rights determined by this Law which have been used by him/her as a member of the martyr's close family or of missing person.

4. When children of the martyr or missing of the KLA without parental care are beneficiary of the family pension, that right is realized until the age of eighteen (18), respectively until the age of twenty six (26) if they are attending regular schools.

5. Base of family pension to families of martyrs and missing persons of the KLA is determined according to Annex 1 of this law and foreseen with the Law on Annual Budget of 2011.

Article 9
The rights and benefits of the KLA invalids

1. Invalids of KLA, under the conditions and criteria determined in this Law, realize the following rights and benefits:

- 1.1. the right to the personal invalid pension;
- 1.2. the right to a family disability pension after the death of invalid;
- 1.3. allowance for care-taking and assistance to other persons, for the KLA invalids with the disability rate from 81% up to 100%;
- 1.4. orthopedic compensation, providing the orthopedic outfit;
- 1.5. primary, secondary and tertiary health-care without compensation in public health-care institutions;
- 1.6. health and physical rehabilitation;
- 1.7. professional rehabilitation for disabled, who have partial ability to work;
- 1.8. advantage in employment at equal conditions;
- 1.9. advantage in enrolment and admission in educational public institutions in equal condition with the others;
- 1.10. scholarship for the secondary and university education;
- 1.11. housing in student dorms with no compensation;
- 1.12. care-taking in the family housing;
- 1.13. release from court, administration and public taxes;
- 1.14. cheap and reduced tariff for electricity consumption for personal use in case of difficult economic conditions when it fulfills criteria set up in the scheme of social assistance;
- 1.15. housing in elderly dorms with no compensation;
- 1.16. funeral expenses along with the military honors.

2. The rights and benefits specified in paragraph 1, sub-paragraphs 1.2., 1.5., 1.9., 1.10., 1.11., 1.12. of this Article, shall be realized also by the close family member of the KLA invalid.

Article 10
The rights of KLA invalids according to the level of disability

1. With the purpose of realization of rights and benefits in accordance with the degree of disability and to determine the percentage of physical damage, the KLA invalids shall be divided into eight (8) groups:
 - 1.1. Group I - invalids with 81% up to 100% body damage;
 - 1.2. Group II - invalids with 71% up to 80% body damage;
 - 1.3. Group III - invalids with 61% up to 70% body damage;
 - 1.4. Group IV - invalids with 51% up to 60% body damage;
 - 1.5. Group V - invalids with 41% up to 50% body damage;
 - 1.6. Group VI - invalids with 31% up to 40% body damage;
 - 1.7. Group VII – invalids with 20% up to 30% body damage;
 - 1.8. Group VIII –invalids with 10% up to 19% body damage.
2. Medical evaluation for the degree of disability under paragraph 1. of this Article is made by the Medical Commission of Ministry, firstly in the first instance with possibility to appeal on the second instance too.
3. The basis of a personal disability pension is determined according to Annex 1 of this law and foreseen by the Law on Annual Budget of 2011
4. A KLA invalid with invalidity level from 10%-19% shall not enjoy personal invalid pension.
5. A KLA invalid with a degree of disability over 80% is entitled to additional assistance and care-taking by another person at the level determined according to Annex 1 of this law and foreseen by the Law on Annual Budget of 2011.
6. If within a close family, one of the members is user of a personal disability pension, other family members are not excluded the possibility of exploitation of the right to family pension after the death of the invalid.
7. Beneficiary, to whom is recognized the right of a disability pension, does not exclude the right of close members of the family in applying for social assistance, in accordance with conditions and criteria determined by the Law no. 2003/15 for Social Assistance Scheme in the Republic of Kosovo.

Article 11
The rights on Family Invalid Pension after the death of the KLA invalid

1. After the death of the KLA invalid, the right on family invalid pensions shall be realized by his close family members.
2. Base of family invalid pensions after the death of the KLA invalid is determined according to Annex 1 of this law and foreseen by the Law on Annual Budget of 2011.
3. Spouse linking the new marriage, after the death of KLA invalid, loses the rights and benefits for pension, determined by this Law.
4. When children of the KLA invalid without parental care are beneficiaries of the family pension, they shall use this right up to the age of eighteen (18), respectively the age of twenty six (26) if they are attend regular schools.
5. KLA invalids wounded during the war, who died within three (3) years after the end of the war, as a result of wounds taken in the war, who have not been evaluated by the medical commission of the Ministry for setting rates of disability, their families would be entitled to family pension at the amount of 100% from the base of the pension established under this Law.

Article 12
Status and the rights of veterans of the KLA

1. According to provisions of this Law, by responsible body of the Government, shall be recognized and defined the status of veterans of KLA.
2. The rights in benefits for veterans of KLA and criteria of qualification for recognition and realization of their benefits shall be regulated by special Law.

Article 13
The rights of the family members of civilian victims of war

1. Close members of the family of civilian victims of war, according to the terms and criteria set forth in this Law, shall realize the following rights and benefits:
 - 1.1. family pension;
 - 1.2. primary and secondary health-care without compensation in public health-care institutions.
 - 1.3. release from taxation on property, if the close family is in difficult financial situation.

- 1.4. cheap and reduced tariff of electricity consumption for personal use, if the close family is in difficult economic conditions and it fulfills criteria set up in the scheme of social assistance.
2. Pension users, as per the line are: husband/wife, children, out-of-marriage children, adopted children, parents, stepfather, stepmother.
3. Husband/Wife who links a new marriage loses the rights foreseen in this Law, which he/she used as a member of the close family of the civilian victim of war.
4. When children of the civilian victim of war without parental care are beneficiaries of family pension, shall realize this right until the age of eighteen (18), respectively until the age of twenty six (26) if they are attend regular school.
5. Base of civil family pension for civil victims of war shall be determined according to Annex 1 of this law and shall be foreseen by the Law on Annual Budget of 2011.
6. Civil family pension basis for close family which has two (2) civilian victims, shall be increased for 20%.
7. The base of civil family pension for close family which has three (3) civilian victims shall be increased for 30%.
8. The base of civil family pension for close family which has four (4) civilian victims shall be increased for 40%.
9. The base of civil family pension for close family which has more than four (4) civilian victims, shall be increased for 50%.
10. Close family members of missing persons or taken hostage in the war, realize all rights and benefits, as close family members of victims of civil war determined by this Law.

Article 14

Rights and benefits of civilian invalid of war

1. The right on pension of civilian invalid of war shall be realized by civilian invalid of war with a degree of the disability from 40% to 100%.
2. In order to realize the rights determined by this Law, according to the degree of disability, civil invalids of war shall be aligned in five (5) groups:
 - 2.1. Group I – civil invalid of war with over 81%-100% degree of the disability, who for normal life need care and assistance of other person;
 - 2.2. Group II – civil invalids of war with 71% - 80% degree of the disability;

- 2.3. Group III – civil invalids of war with 61%- 70% degree of the disability;
 - 2.4. Group IV- civil invalids of war with 51% - 60% degree of the disability;
 - 2.5. Group V- civil invalids of war with 40% - 50% degree of the disability.
3. Evaluation for the degree of the invalidity of the civil invalids of war according to the paragraph 2. of this Article, shall be done by the Medical Commission of the first and second instance, which acts and works within the Ministry.
 4. Base civil disability pension is determined according to Annex 1 of this law and shall be foreseen by the Law on Annual Budget of 2011.
 5. Civil invalid of war with over 80% of body damage, shall be exempted from the tax and customs duty for import of orthopedic devices for his personal needs.
 6. Civil invalid of war with over 80% degree of disability is entitled to allowances for assistance and care by another person, which shall be defined under Annex 1 of this law and shall be foreseen by the law on the Annual Budget of 2011.

Article 15

Recognition and adjustment of status

1. Status of the national martyr, KLA invalid, veteran, members of KLA and of the deported, concluded by the Government Committee on status recognition and verification of nation's martyr, KLA invalid, KLA veterans, members of KLA or of the deported member of the KLA.
2. Status of civil victims and civil invalid of war, shall be concluded by the responsible municipality body under the conditions and criteria established by sub legal act issued by the Government
3. For sacrifice and extraordinary contribution in the KLA war for freedom and liberation of the country, Adem Jashari's status shall be recognized as: Legendary Commander of the KLA.
4. Legendary Commander Adem Jashari for the sacrifice and contribution for the freedom and liberation of Kosovo, special status to the Jashari family from Prekaz (Skenderaj municipality) shall be recognized, where besides the rights and benefits determined by this law, there shall also be recognized the rights and other benefits which are determined by the special sub-legal act issued by the Government.
5. KLA Epopee is commemorated on 5, 6 and 7 of March.

6. Sub-legal act under paragraph 3. and 5. of this article issued by Government, in duration time at latest of six (6) months from the date of entry into force of this Law.

7. Governmental Committee on status recognition and verification of nation's martyr, KLA invalid, or KLA internees, shall be established by the Government Decision, under which composition there will be at least representatives of:

7.1. Office of the Prime Minister.

7.2. Respective Ministry of Labour and Social Welfare.

7.3. Respective Ministry of Security Force.

7.4. Former KLA Headquarters.

7.5. Former KLA Operational Zones

7.6. KLA Veterans Organization

7.7. Association of the Martyrs Families of the KLA

7.8. War Invalids Association of the KLA

7.9. Former KPC.

7.10. Former Ministry of Defense;

7.11. Other representatives as decided by the Government.

8. Organization of work, functioning, duties and responsibilities, payment of commitments of members and other important issues to the Governmental Committee shall be determined by sub-legal acts issued by the Government of Kosovo.

9. Governmental Committee defined in paragraph 7. of this Article shall, based on documentation of appropriate Ministry of Labour and Social Welfare, the former Headquarter of the KLA, the Association of Martyrs Families of the KLA, the Association of War Invalids of the KLA, former KPC and according to the needs and requirements and other relevant documentation that shall be issued by the competent authority of the municipality, determine the List of categories of persons defined by this law.

Article 16
Submission of application for the realization of the rights

1. The rights determined by this Law through the request in written form, shall be realized by the citizens of Kosovo and foreign citizens who have gained the status of respective categories defined by this Law.
2. For the realization of the right to retire under the provisions of this Law, the applicant shall submit a request to the Regional Office of the Ministry's Department for Families of Martyrs, War Invalids and Civilian Victims of the War.
3. For the realization of rights on other benefits under the provisions of this Law, the applicant shall submit the application to the relevant Ministries and other institutions.
4. Final term to present the request, for realization of the rights on pensions and benefits defined according to this Law is one (1) year, from the start and officialism of work of Governmental Committee for the recognition and verification of status of the KLA war categories.
5. All those who apply after the term foreseen in paragraph 4. of this Article, can not be the beneficiaries of the pension and of the benefits determined with this Law.

Article 17
Office for the Issues of the Categories emerged from War

1. Office for the Issues of the Categories emerged from War which operates within the OPM or to the succeeding entity decided by the Government, it is a governmental body which cooperates and coordinates activities for the categories emerged from KLA war defined in this Law.
2. Office for the Issues of the Categories emerged from War:
 - 2.1. maintains the Central Registry for the martyrs of the nation, KLA invalids, veterans, the members of the KLA, and deported KLA, civilian victims and civilian invalids of war, under the List of persons of categories determined by this law by Governmental Committee defined in Article 15 of this law;
 - 2.2. central registry data, defined in the above paragraph, shall be treated in accordance with the Law on Protection of Personal Data;
 - 2.3. issues certificates based on the Central Registry for all categories;
 - 2.4. it provides administrative and financial support to the Governmental Committee established according to Article 15 of this Law;

2.5. other competencies and Organization of Office for the Issues of the Categories emerged from War, shall be determined by Regulation approved by the Government.

Article 18

Duration time for realization of the Rights on pensions

Rights to pensions as defined in the Article 5 of this Law and the allowances for care and support to other person, shall be accomplished from the day of request submission, if there are fulfilled conditions and criteria for the realization of these rights.

Article 19

Application of law on General Administrative Procedure

If with this law is not otherwise determined, there shall directly be implemented the provisions of the Law on General Administrative Procedure.

Article 20

Sub-legal acts for implementation of the Law

1. For implementation of this Law in term of six (6) months from the date of entry into force of this Law, Government of Kosovo and relevant ministries shall issue the following sub-legal acts:

1.1. Government:

1.1.1. regulation for the determination of the conditions, criteria and procedures for recognition of the status of the Nation Martyr;

1.1.2. other Competencies and Organization of Veterans Affairs Office of the KLA War, shall be determined by Regulation approved by the Government;

1.1.3. the Regulation for scope and functioning of the Governmental Committee for recognition and determination of the status of the categories emerged from the KLA War .

1.1.4. Regulation on determining conditions, criteria and the content of identity card, of high security, allowing clear identification of beneficiaries for categories treated in this law;

1.2. the responsible Ministry of Labour and Social Welfare:

1.2.1. Administrative Instruction on the application procedure for the realization of the rights determined by this Law;

1.2.2. Administrative Instruction for examinations and assessments of the degree of the war invalid of the KLA and civilian invalid;

1.2.3. Administrative Instruction for the compensation of the funeral expenses and military honors on occasion of the death of veteran, member and the invalid of the KLA;

1.3. the responsible Ministry for issues of Health:

1.3.1. Administrative Instruction for the determination of the conditions and criteria for use of the right to health and physical rehabilitation for categories treated in the Law;

1.3.2. Administrative Instruction for the realization of the right to health services in public health institutions;

1.3.3. Administrative Instruction for the realization of the right in orthopedic aid equipment for the needs of war invalids and civilian invalids.

1.4. the responsible Ministry for Education, Science and Technology:

1.4.1. Administrative Instruction for the recognition of the rights and determination of the procedures for providing text book free of charge;

1.4.2. Administrative Instruction for determination of the conditions and criteria for realization of the right on grants;

1.4.3. Administrative Instruction for determination of the conditions and criteria for settlement in the dormitories, of the close family members of categories treated in this Law.

1.6. the responsible Ministry of Energy issues:

1.6.1. Administrative Instruction for procedures and forms of exploitation of cheap and reduced electricity.

1.7. the responsible Ministry of Environment and Spatial Planning:

1.7.1. Administrative Instruction for the adaptation of the environment for the movement of orthopedic devices without barriers at the entrance in the residential buildings and public institutions;

1.7.2. Administrative Instruction for determination of conditions and criteria for the provision of family housing for invalids and veterans of the KLA and martyrs` families.

1.8. the responsible Ministry of Finance issues:

1.8.1. Administrative Instruction for procedures of realization of rights on customs and tax facilities.

2. Government of Kosovo, according to the needs in cooperation with other relevant ministries, except sub-legal acts determined in paragraph 1. of this article, may also issue other sub-legal acts for the implementation of this Law.

Article 21

Fines

1. With the fine on money from three thousand (3000) €to five thousand (5000) €for not applying the provisions of this Law shall be fined for violation:

1.1. responsible Institutions for implementation of this Law; and

1.2. other legal responsible persons, which do not comply the provisions of this Law.

2. With fine on money from five hundred (500)€to one thousand and five hundred (1500) € for violation from paragraph 1. of this Article, the responsible person of the competent Institutions and superior of this body shall be fined.

3. Any person, who consciously, presents false statement, or presents forged documents in order to obtain rights and benefits, as defined under this law, shall be punished under the laws in effect regarding presenting false statement and forged documents.

Article 22

Consideration of Requirements in Review

1. All requirements presented in the responsible body of the Ministry according to the Law No. 02/L-02 On the status and the rights of the Martyrs` Families, Invalids, Veterans and Members of Kosovo Liberation Army and Families of Civilian Victims of War which are under consideration, after the entry into force of this Law shall be regulated and defined under the provisions of this Law.

2. The rights set by the present law are acceptable only after entry into force of this law and no person may require accomplishment of these rights retroactively.

Article 23
Implementation of the Law

1. Acts and provisions issued by the competent bodies of the former KLA and KPC are valid for the implementation of this Law, after verification by the Governmental Committee foreseen in Article 15 of this law.
2. Beneficiaries of the base pension may realize all the rights and benefits determined by this Law, if they fulfill the conditions and criteria under the provisions of this Law.
3. Pension users for disabled persons, may not be users of the rights deriving from this Law.

Article 24
The level of the pension amount

Depending on budget opportunities, cost of living and the possible inflation, at the end of each year for the next year, the Government of Kosovo on the proposal of the Ministry of Finance with special decision shall decide for the level of pension and benefits determined with this Law.

Article 25
Benefits Subject to Fiscal Constraints

1. Notwithstanding other provisions of the present law, the payment of any and all financial benefits provided for by the present law shall be required only to the extent that:
 - 1.1 funds have been specifically appropriated for such purpose under the applicable law on annual budget;
 - 1.2. there are sufficient funds actually available for such payments and
 - 1.3. the government has not issued a decision under paragraph 2. of this Article reducing or eliminating such payments.
2. To the extent the Government deems it necessary to address circumstances creating an unforeseen fiscal strain on the public budget or to otherwise ensure the maintenance of public fiscal discipline, the Government shall have the authority to issue a decision reducing or eliminating any benefit provided for by this law, including benefits related to financial payments even if funds have been appropriated therefore under the then applicable Law on annual budget.

Article 26
Transitional Provisions

Those beneficiaries who have enjoyed benefits before 15 May 2011, shall continue to enjoy those benefits. If during the audit process there is found that some of these benefits are gained in unjust manner, then these benefits shall be suspended

Article 26
Repeal of legal provisions

1. Upon entry into force of this Law shall be repealed:

1.1. UNMIK Regulation no. 2000/66 of the date 21.12.2000 for Benefits for war invalids and their relatives of those who have died, as a result of armed conflict in Kosovo;

1.2. UNMIK Regulation no. 2006/29 of the date 2 May 2006 for declaring the Law for the status and rights of Martyrs` families, invalids, veterans and members of the KLA and the families of civilian victims of armed conflict in Kosovo;

1.3. Law no.02/L-02 for the Status and Rights of Martyrs families, invalids, veterans and members of the KLA and the families of civilian victims of war, and,

1.4. any other provision of legal or sub-legal act that is contrary to the provisions of this Law.

Article 27
Entry into force

This law shall enter into force fifteen (15) days after its publication in the Official Gazette of the Republic of Kosovo and shall be implemented from 01.01.2012

Law No. 04/L-054
8 December 2011

President of the Assembly of the Republic of Kosovo

Jakup KRASNIQI



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

ANNEX OF THE LAW No.04/L-054 ON THE STATUS AND THE RIGHTS OF THE MARTYRS, INVALIDS, VETERANS, MEMBERS OF KOSOVA LIBERATION ARMY, CIVILIAN VICTIMS OF WAR AND THEIR FAMILIES

LEVEL OF PENSIONS	
Family pensions for the families of martyrs of the KLA	
The family that has given one Martyr	358,50 €
The family that has given two Martyrs	428,70 €
The family that has given three Martyrs	463,80 €
The family that has given four Martyrs	498,90 €
The family who has given more than 4 Martyrs:	534,00 €
Family pensions for families of missing of the KLA	
Family with one missing of KLA	358,50 €
Family with two missing of KLA	428,70 €
Family with three missing of KLA	463,80 €
Family with four missing of KLA	498,90 €
Family with more than four missing of KLA	534,00 €
Personal invalid pensions for invalids of KLA	
Invalid with body injury over 80%	358,50 €
Invalid with body injury over 71 - 80%	330,00 €
Invalid with body injury over 61- 70%	315,00 €
Invalid with body injury over 51- 60%	300,00 €
Invalid with body injury over 41 -50%	285,00 €
Invalid with body injury over 31- 40%	255,00 €

Invalid with body injury over 20 -30%	180,00 €
Allowances for care and help for invalids of the KLA.	
Custodian for Invalid with body injury by over 80%	180,00 €
Family pension after death of invalid of the KLA	
Invalid with body injury over 80%	286,80 €
Invalid with body injury over 71 - 80%	264,00 €
Invalid with body injury over 61- 70%	252,00 €
Invalid with body injury over 51- 60%	240,00 €
Invalid with body injury over 41 -50%	228,00 €
Invalid with body injury over 31- 40%	204,00 €
Invalid with body injury over 20 -30%	144,00 €
Family pensions for families of Civil Victims	
Family of Civil Victim	135,00 €
Family pensions to the families of the Missing Civilian	
Families of the Missing Civilian	135,00 €
Personal invalid pensions for Civil War Invalids	
Invalid with body injury over 80%	122,00 €
Invalid with body injury over 61- 80%	109,00 €
Invalid with body injury over 40 -60%	96,00 €
Allowance for care and help for Civilian War Invalids	
Custodian for invalid with bodily injury by over 80%	40,10 €
The right to family pension after the death of Civil War Invalids	
Invalid with body injury over 80%	98,60 €
Invalid with body injury over 61- 80%	88,20 €
Invalid with body injury over 40 -60%	77,80 €