



ADMINISTRATIVE DIRECTION NO. 2002/6

**IMPLEMENTING UNMIK REGULATION NO. 2000/18
ON TRAVEL DOCUMENTS**

The Special Representative of the Secretary-General,

Pursuant to the authority given to him under section 4 of United Nations Interim Administration Mission in Kosovo (UNMIK) Regulation No. 2000/18 of 29 May 2000 on Travel Documents,

Hereby issues the following Administrative Direction:

Section 1
Definitions

1.1 For the purposes of the present Administrative Direction the following definitions shall apply:

(a) “Authorized Office” means the office(s) under the competent authority in Kosovo responsible for accepting and processing Travel Document applications and distributing Travel Documents to persons having the status of habitual residents of Kosovo;

(b) “Central Database” means the compilation of all data collected in the database of the Central Civil Registry in Pristina, including biographic, biometric and photographic data, stored in any form, including, but not limited to, ZIP cartridges, main server, optical disk and floppy disk;

(c) “Civil Registrar” means the person appointed by the Special Representative of the Secretary-General to head the Central Civil Registry in accordance with UNMIK Regulation No. 2000/13 of 17 March 2000 on the Central Civil Registry;

(d) “Guardians” means the guardian or guardians of an applicant or holder of a Travel Document who is under 16 years of age;

(e) “Habitual Resident of Kosovo” means a person meeting the criteria set forth in section 3 of UNMIK Regulation No. 2000/13;

(f) “Parents” means the parent or parents of an applicant or holder of a Travel Document who is under 16 years of age; and

(g) “Travel Document” means the UNMIK Travel Document issued in accordance with UNMIK Regulation No. 2000/18 to persons having the status of habitual residents of Kosovo.

1.2 As used in the present Administrative Direction, the singular includes the plural and the plural includes the singular unless the context otherwise requires. Similarly, the personal pronoun “he” includes “she” and “him” includes “her” unless the context otherwise requires.

Section 2 Travel Document

2.1 A Travel Document issued under the authority of the Special Representative of the Secretary-General is the property of UNMIK and shall be surrendered to an authorized representative of UNMIK upon demand.

2.2 A Travel Document does not confer nationality upon its holder, nor does it affect in any way the holder’s nationality.

2.3 A Travel Document does not guarantee its holder admission to any State. Such admission may be subject to the visa or entrance requirements prescribed by the competent authorities of the State concerned.

2.4 A Travel Document shall remain valid for a period of up to 24 months from the date of issue.

Section 3 Application for a Travel Document

3.1 Any person registered in the Central Civil Registry having the status of a habitual resident of Kosovo may apply to an Authorized Office for a Travel Document.

3.2 Application documents shall be submitted in person by the applicant to an Authorized Office.

3.3 An applicant who is 16 years of age or above shall submit:

(a) A completed application form, signed by the applicant in the presence of the officer in charge of the Authorized Office. The application form shall contain a declaration permitting the Authorized Office to access the applicant's biographic, biometric and photographic data in the Central Database; and

(b) His UNMIK Identity Card.

3.4 An applicant who is under 16 years of age shall submit:

(a) His UNMIK, foreign State or Federal Republic of Yugoslavia birth certificate;

(b) A completed application form, signed by the applicant's parents or guardians in the presence of the officer in charge of the Authorized Office. The application form shall contain a declaration permitting the Authorized Office to access the applicant's biographic, biometric and photographic data in the Central Database; and

(c) His UNMIK civil registration slip stamped with the words "Confirmed-Child".

Thereafter, such applicant shall have his digital photo taken at the Authorized Office.

3.5 Subject to section 3.6, the parents or guardians shall submit one of the following documents:

(a) UNMIK Identity Card; or

(b) Travel Document.

3.6 If the parents or guardians are unable to submit their UNMIK Identity Card or Travel Document, they shall submit their UNMIK civil registration slip stamped with the word "Confirmed" and one of the following documents:

(a) Federal Republic of Yugoslavia Passport;

(b) Federal Republic of Yugoslavia Identity Card;

(c) Foreign Identity Card; or

(d) Foreign Passport.

3.7 The guardians shall also submit an official certificate issued by the competent authority indicating their status as guardians of the applicant.

3.8 An applicant under 16 years of age shall be accompanied by his parents or guardians when he applies for a Travel Document.

3.9 An administrative fee of 31 euro shall be payable for each application.

3.10 At the time of application, an applicant or, where applicable, his parents or guardians, shall be required to indicate in writing whether the applicant holds a valid passport or other travel document.

3.11 The Authorized Office shall not accept an application for a Travel Document from outside Kosovo, nor shall it send a Travel Document outside Kosovo.

3.12 The Authorized Office shall:

(a) Determine whether the application form is complete, signed and accompanied by the appropriate documents and administrative fee; and

(b) Verify the identity of the applicant and, where applicable, his parents or guardians, by photo identification and establish a parental or guardianship link.

3.13 If the requirements set forth in section 3.12 are met, the Authorized Office shall issue a receipt to an applicant confirming the submission of his application.

Section 4 Issuance of a Travel Document

4.1 Upon receipt of the Travel Document, the officer in charge at the Authorized Office shall verify, and confirm with his signature, that the data contained in the Travel Document is complete. Thereafter, the officer in charge shall forward the Travel Document to the appropriate Municipal Administrator.

4.2 The Municipal Administrator shall ensure that all of the requirements of UNMIK Regulation No. 2000/18 have been complied with. Thereafter, the Municipal Administrator shall sign the Travel Document on behalf of and under the authority of the Special Representative of the Secretary-General, and date and stamp the Travel Document with the stamp prepared for this purpose. The Municipal Administrator shall then forward the Travel Document to the Authorized Office for distribution.

4.3 The applicant shall collect the Travel Document in person. He shall submit the receipt for the Travel Document application and his UNMIK Identity Card. For applicants under 16 years of age, parents or guardians accompanying such

applicant shall submit in person the receipt for the Travel Document application and the applicant's UNMIK civil registration slip stamped with the words "Confirmed-Child". The parents or guardians shall present at least one of the identification documents set out in sections 3.5 and 3.6.

4.4 If in exceptional circumstances, such as for medical reasons, an applicant is unable to collect the Travel Document in person, the applicant shall submit to the Authorized Office a written statement, supported by a medical certificate or other affidavit, of the reasons why he cannot collect the Travel Document in person. The Authorized Office shall evaluate the written statement and, if necessary, send two representatives to the residence of the applicant to deliver the Travel Document.

4.5 Prior to issuing the Travel Document to the applicant, the Authorized Office shall verify the applicant's identity by comparing the photo and the ID-number in the Travel Document with the documents submitted by or on behalf of the applicant in accordance with section 4.3. Where applicable, the Authorized Office shall also verify the identity of his parents or guardians.

4.6 The applicant shall sign the Travel Document in the presence of an officer in charge of the Authorized Office. The officer in charge shall confirm by his signature in the appropriate register book, which the applicant shall countersign, that the applicant has signed and collected the Travel Document.

4.7 Where the applicant is 16 years of age or above and cannot sign the Travel Document, the applicant shall place his thumbprint in the space marked "signature of the holder". The officer in charge shall confirm by his signature in the appropriate register book, beside which the applicant shall place his thumbprint, that the applicant has provided his thumbprint and collected the Travel Document.

4.8 Where the applicant is under 16 years of age and cannot sign the Travel Document, the applicant shall, in lieu of a signature, write an "X" in the space marked "signature of the holder". The officer in charge shall place his initials next to the applicant's "X". The officer in charge shall confirm by his signature in the appropriate register book, which the applicant's parents or guardians shall countersign, that the applicant has written an "X" in the space marked "signature of the holder" and collected the Travel Document.

4.9 Where the applicant is under 16 years of age and cannot sign the Travel Document or write an "X", the space marked "signature of the holder" shall be stamped with an instrument provided for this purpose. The officer in charge shall place his initials next to the stamp. The officer in charge shall confirm by his signature in the appropriate register book, which the applicant's parents or guardians shall countersign, that the space marked "signature of the holder" has been stamped and the applicant has collected the Travel Document.

Section 5
Decision not to Issue a Travel Document

5.1 In accordance with section 2.1 of UNMIK Regulation No. 2000/18, the Civil Registrar may, in compelling circumstances, decide that he will not issue a Travel Document to a person registered in the Central Civil Registry having the status of a habitual resident of Kosovo. In this event, the Civil Register shall notify the applicant in writing of the reasons for his decision.

5.2 Compelling circumstances shall include:

(a) An indictment by a court of competent jurisdiction against the applicant involving a possible sentence of 3 or more years of imprisonment upon conviction;

(b) An indictment by the International Criminal Tribunal for the former Yugoslavia (ICTY) or another court of competent jurisdiction against the applicant for war crimes, crimes against humanity or genocide;

(c) A restraining order or warrant for arrest issued in respect of the applicant by a court of competent jurisdiction;

(d) A request for extradition issued in respect of the applicant by a foreign state;

(e) An applicant's conditions of bail, which require supervised custodial sentences;

(f) A court order issued in respect of the applicant to remain in Kosovo, refrain from obtaining a Travel Document or to surrender a Travel Document; and/or

(g) An applicant's ongoing sentence of imprisonment, or a sentence of imprisonment of more than 3 months which has been pronounced against the applicant, for as long as he is not serving the sentence regardless of whether the judgment has come into effect.

5.3 UNMIK, UNMIK Police, courts and other governmental authorities shall submit relevant evidence, where available, to the Civil Registrar to assist him in determining whether such compelling circumstances exist.

Section 6

Reconsideration of a Decision not to Issue a Travel Document

6.1 An applicant or, where applicable, his parents or guardians, may, in accordance with section 2.3 of UNMIK Regulation No. 2000/18, request in writing that the Civil Registrar reconsider his decision not to issue a Travel Document. This request shall be filed at an Authorized Office and may be supported by relevant evidence. The request shall be made within 60 days of the receipt of the Civil Registrar's decision not to issue a Travel Document or such decision shall be final.

6.2 The Civil Registrar may, at his discretion, extend the 60-day period to file a request.

6.3 Within 60 days of receiving the request for reconsideration, the Civil Registrar shall notify the applicant in writing of the reasons for his decision.

Section 7

Appeal of a Decision not to Issue a Travel Document

7.1 Where the Civil Registrar confirms his decision not to issue a Travel Document, an applicant or, where applicable, his parents or guardians, may, in accordance with section 2.4 of UNMIK Regulation No. 2000/18, appeal to the Registration Appeals Commission for a review of the Civil Registrar's decision. This request shall be filed at the Registration Appeals Commission and may be supported by relevant evidence. The request shall be made within 30 days of the receipt of such confirmation or the Civil Registrar's decision shall be final.

7.2 Within 60 days of receiving the request, the Registration Appeals Commission shall notify the applicant in writing of the reasons for its decision.

7.3 Where the appeal is successful, the Registration Appeals Commission may direct the Civil Registrar to issue the Travel Document.

7.4 The decision of the Registration Appeals Commission shall be final.

Section 8

Decision to Revoke a Travel Document

8.1 The Civil Registrar may revoke a Travel Document where he determines, based on relevant evidence, that:

(a) The holder provided incorrect or fraudulent information in his application documents;

(b) Compelling circumstances, as set out in section 5.2, have come into existence; or

(c) Compelling circumstances, as set out in section 5.2, existed at the time of issuance of the Travel Document.

8.2 Where the Civil Registrar revokes a Travel Document, he shall notify the holder in writing of the reasons for his decision, and shall request that the holder surrender the Travel Document to the Authorized Office within 14 days of the date of the notification. The Civil Registrar shall also notify relevant competent authorities of his decision.

Section 9

Appeal of a Decision to Revoke a Travel Document

9.1 The former holder or, where applicable, his parents or guardians, may appeal to the Registration Appeals Commission for a review of the Civil Registrar's decision to revoke a Travel Document. This request shall be filed at the Registration Appeals Commission and may be supported by relevant evidence. The request shall be made within 30 days of the receipt of the Civil Registrar's decision to revoke a Travel Document or such decision shall be final.

9.2 Within 60 days of receiving the request, the Registration Appeals Commission shall notify the former holder in writing of the reasons for its decision.

9.3 Where the appeal is successful, the Registration Appeals Commission may direct the Civil Registrar to return the Travel Document to the former holder.

9.4 The decision of the Registration Appeals Commission shall be final.

Section 10

Extension and Renewal of a Travel Document

The procedures for the extension and renewal of a Travel Document shall be set out in a subsequent Administrative Direction.

Section 11

Correction of Personal Data

11.1 Where the holder of a Travel Document changes his name or other personal data affecting his status, such holder may apply for a new Travel Document in accordance with the procedures set out in section 3. At the time of application, the holder shall surrender the Travel Document to the Authorized Office. Thereafter,

the Civil Registrar shall invalidate the Travel Document and notify the relevant competent authorities in writing of such invalidation.

11.2 Where a Travel Document contains incorrect personal data, the holder or, where applicable, his parents or guardians may file request in writing through the Authorized Office for correction of the personal data. The Authorized Office shall consider the request and, where appropriate, shall advise the Civil Registrar in writing of the need to correct the personal data. Thereafter, the Civil Registrar shall decide whether the personal data shall be corrected according to relevant procedures. There shall be no administrative fee for this service.

Section 12 Lost, Stolen or Damaged Travel Document

12.1 Where a Travel Document is lost or stolen in Kosovo:

(a) The holder or, where applicable, his parents or guardians, shall report the incident to the nearest police station;

(b) The holder or, where applicable, his parents or guardians, shall report the incident to an Authorized Office, and shall provide such Office with a copy of the police report;

(c) The Authorized Office shall notify the Civil Registrar in writing of the loss or theft of the Travel Document. Thereafter, the Civil Registrar shall invalidate the Travel Document and notify the relevant competent authorities in writing of such invalidation; and

(d) The person concerned may apply for a new Travel Document in accordance with the procedures set out in section 3.

12.2 Where a Travel Document is lost or stolen outside of Kosovo:

(a) The holder or, where applicable, his parents or guardians, shall report the incident to the nearest police station;

(b) The holder or, where applicable, his parents or guardians, shall report the incident to an Authorized Office, and shall provide such Office with a copy of the police report;

(c) The Authorized Office shall notify the Civil Registrar in writing of the loss or theft of the Travel Document. Thereafter, the Civil Registrar shall invalidate the Travel Document and notify the relevant competent authorities in writing of such invalidation; and

(d) The competent office responsible for the issuance of temporary travel documents in emergency situations shall issue a one-way temporary travel document that permits the person concerned to return to Kosovo. There shall be no administrative fee for this service. Upon returning to Kosovo, the person concerned may apply for a new Travel Document in accordance with the procedures set out in section 3.

12.3 Where a Travel Document is damaged beyond repair in Kosovo:

(a) The holder or, where applicable, his parents or guardians, shall report the incident to an Authorized Office;

(b) The Authorized Office shall notify the Civil Registrar in writing of the damage to the Travel Document. Thereafter, the Civil Registrar shall invalidate the Travel Document and notify the relevant competent authorities in writing of such invalidation; and

(c) The person concerned may apply for a new Travel Document in accordance with the procedures set out in section 3.

12.4 Where a Travel Document is damaged beyond repair outside of Kosovo:

(a) The holder or, where applicable, his parents or guardians, shall report the incident to an Authorized Office;

(b) The Authorized Office shall notify the Civil Registrar in writing of the damage to the Travel Document. Thereafter, the Civil Registrar shall invalidate the Travel Document and notify the relevant competent authorities in writing of such invalidation; and

(c) The competent office that is responsible for the issuance of temporary travel documents in emergency situations shall issue a one-way temporary travel document that permits the person concerned to return to Kosovo. There shall be no administrative fee for this service. Upon returning to Kosovo, the person concerned may apply for a new Travel Document in accordance with the procedures set out in section 3.

Section 13 Issuance of Temporary Travel Document

The procedures for the issuance of a temporary travel document shall be set out in a subsequent Administrative Direction.

Section 14
Privacy and Protection of Personal Data

UNMIK shall observe internationally recognized standards of data protection.

Section 15
Entry into Force

The present Administrative Direction shall enter into force on 26 March 2002.

Michael Steiner
Special Representative of the Secretary-General