



KOSOVO PROPERTY RIGHTS PROGRAM (PRP)

PROJECT BRIEF UPDATE

The rule of law in Kosovo is constrained by poorly defined and enforced property rights, especially the property rights of women and members of minority communities. The absence of an effective property rights regime weakens democratic governance, impacts human rights, disempowers women and impedes sustainable economic growth.

The overall goal of the program is to improve the property rights regime in Kosovo, strengthen the rule of law, and increase economic growth and investment. The Property Rights Program (PRP) is implemented under four objectives:

Objective 1: Better Coordination and Policy Priorities

Objective 2: Improved Court Procedures Related to Property Claims

Objective 3: Enhance Women's Rights to Use Property in Practice

Objective 4: Improved Communication, Access to Information and Understanding of Property Rights

OUR WORK

This quarter was very productive for PRP: it saw important developments in major initiatives in progress – the National Strategy on Property Rights; case flow management reform in Kosovo

courts; and public advocacy on women's property rights, with a highly publicized launch event for grassroots activities on women's property rights. In addition, in this quarter PRP commenced field research in Viti/Vitina municipality designed to help municipal administrations improve their practices and procedures related to property rights and enable their citizens to exercise their property rights more easily and efficiently.

Under **Objective 1**, PRP finalized the draft National Strategy on Property Rights and submitted the document, with an Implementation plan, to the Ministry of Justice (MoJ) for public notice and comment. Following that consultation, the draft National Strategy: will receive final revisions and review by the Core Technical Group and will be submitted to the Government.

PRP has also developed revisions to a package of laws to address two important areas of concern: (1) to provide safeguards for women to enable them to receive timely notice of inheritance proceedings and to provide them with the opportunity to make decisions on renunciation with deliberation and an understanding of the consequences of renunciation; and (2) to adopt constructive notice principles that will simplify and facilitate the resolution of delayed inheritance cases, i.e., cases where the decedent died several years previously, to encourage citizens to bring their property records up to date and acquire clear legal title to their property.

It is expected that PRP's proposals will be presented at a Conference on Inheritance that the MoJ will organize, with PRP support, during the last week of October.

Regarding **Objective 2**, by the end of this quarter PRP's Record Management Specialists had inventoried a total of 2,100 pending property cases (representing the complete pending caseloads of three judges (one judge each from the Basic Courts of Pejë/Peć, Ferizaj/Uroševac and Gjilan/Gnjilane), and partial caseloads of three additional judges from those courts. On the basis of that data PRP has begun making preliminary findings and recommendations to improve the case flow management of property cases and eliminate unnecessary delays. These will be completed in October and presented to the Kosovo Judicial Council and courts in a series of roundtables in November.

During this quarter PRP also continued its analysis of judicial practice in property law, i.e., the quality and consistency of the courts' decisions in adjudicating property cases, and identified the principal grounds for the high reversal rate of property cases by the Court of Appeals (around 70%). These and other findings will be presented to the courts for the joint development of initiatives to help the courts address problematic issues in property rights adjudication and achieve more uniformity, consistency, and predictability in their judicial practice.

PRP also worked closely with USAID's Contract Law Enforcement (CLE) Program in taking part in the working group for the draft Law on Mediation; and together with CLE has begun planning trainings for judges on referring mediation for property cases.

Objective 3. This quarter saw a continuation of PRP's expanded media campaign on women's property rights on national and local TV and radio and on the social media. PRP complemented the media campaign with a billboard campaign using photos from the PSA's. Anecdotal accounts indicate that the campaign is generating discussion within Kosovo society and influencing opinion.

In addition, PRP successfully launched its grassroots campaign on women's property rights with a highly publicized event in Viti/Vitina. The launch event featured remarks by the US Ambassador, the First Deputy Prime Minister, and the Mayor of Viti/Vitina, along with testimonials from two local women who recounted their success at dealing with property issues. The event also featured an

exhibition of children’s drawings on the topic, “Home and Family,” from PRP’s art activity for children held in Viti in June; a video clip made from that art activity; and a demonstration of forum theater that was followed by questions posed by high school students in the audience. The event was extremely well attended and received extensive national coverage on TV.

PRP also continued to work with USAID Washington and their contractor for communications, Cloudburst, to support their interest in providing coverage of PRP’s work in Kosovo.

Under **Objective 4**, PRP concluded its legal research of the law governing property registration and began field research in Viti/Vitina to determine practice “on the ground.” PRP will use findings from this research to identify measures to improve the registration process and make it easier for citizens to register their property. PRP also commenced interviewing Municipal Cadastral Officials in Viti/Vitina.



PRP’s Grassroots Activity Launch Event in Viti/Vitina municipality garnered a “full house” to witness a full program of speeches, videos, and a theatrical performance to demonstrate the importance of women’s access to property rights to contribute to the advancement of Kosovo’s society and economy.

PI COMMUNICATIONS / USAID PRP



Billboards were launched in September throughout Kosovo as an additional component of PRP’s social behavior change communication campaign. This billboard conveys the message, “Equality knows no gender!”

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US Ambassador Greg Delawie delivering his remarks at PRP’s Grassroots Activity Launch Event in Viti/Vitina municipality expressing that the right and ability to own and use property is an individual’s fundamental right, and an essential element of a democratic society ruled by law. It creates the basis for civil society, and is essential for a market economy to function.

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