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PROPERTY RIGHTS PROGRAM (PRP)

FY2015

QUARTERLY REPORT NO. 5

(APRIL 1 – JUNE 30, 2015)



JULY 2015

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Cover Photo: Mr. James Hope, USAID Mission Director, Prof. Dr. Hajredin Kuçi, Minister of Justice and Mr. Jack Keefe, PRP Acting Program Director at the two-day workshop on the National Strategy for Property Rights in Kosovo

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DISCLAIMER

The author's views expressed in this publication do not necessarily reflect the views of the United States Agency for International Development or the United States Government.

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LIST OF ACRONYMS

BCC	Behavior Change Communications
CDCS	Country Development Cooperation Strategy
CLE	Contract Law Enforcement
CoM	Courts of Merit
COP	Chief of Party
CRP/K	Civil Rights Program in Kosovo
CSO	Civil Society Organization
CCPR	European Commission Liaison Office Support to Civil Code and Property Rights Project
DCOP	Deputy Chief of Party
DO	Development Objective
E4E	Engagement for Equity
EU	European Commission
EULEX	European Union Rule of Law Mission in Kosovo
FACTS	Foreign Assistance Tracking and Coordination System
G2G	Government to Government
GIZ	<i>Gesellschaft für Internationale Zusammenarbeit</i>
GoK	Government of Kosovo
IQC	Indefinite Quantity Contract
IR	Intermediate Result
KAP	Knowledge, Attitudes, Practices
KCA	Kosovo Cadastral Agency
KCLIS	Kosovo Cadastre Land Information System
KJC	Kosovo Judicial Council
KJI	Kosovo Judicial Institute
KPA	Kosovo Property Agency
KWN	Kosova Women's Network

LTPR	Land Tenure and Property Rights
M&E	Monitoring and Evaluation
MAFRD	Ministry of Agriculture, Forestry, and Rural Development
MCO	Municipal Cadastral Office
MLGA	Ministry of Local Government Administration
MoF	Ministry of Finance
MoI	Ministry of Interior
MoJ	Ministry of Justice
MoU	Memorandum of Understanding
MPMS	Municipal Performance Measurement System
NCDA	Norwegian Cooperation Development Agency
NPRC	National Property Rights Coordinator
OCBT	Organizational Capacity Building Tool
OSCE	Organization for Security and Co-operation in Europe
OSR	Own Source Revenue
PMP	Performance Management Plan
PRP	Property Rights Program
RECAP	Real Estate Cadastre and Registration Project
RFA	Request for Assistance
RFTOP	Request for Task Order Proposals
SDC	Swiss Agency for Development and Cooperation
STTA	Short-Term Technical Assistance
STARR	Strengthening Tenure and Resource Rights
SWG	Property Rights Working Group (Sector Working Group)
ToT	Training of Trainer
TWG	Thematic Working Group
UNDP	United Nations Development Program
UNMIK	United Nations Interim Administration Mission in Kosovo
USAID	United States Agency for International Development

INTRODUCTION AND BACKGROUND

The absence of an effective property rights framework in Kosovo weakens democratic governance, impacts human rights, disempowers women and impedes sustainable economic growth. The USAID/Kosovo Property Rights Program promotes effective donor and government stakeholder coordination to develop a National Strategy for Property Rights and strengthen property rights legislation, supports development of improved court procedures to efficiently adjudicate property claims and disputes, works closely with Civil Society Organizations to enhance opportunities for women to exercise their property rights and improves awareness and access to property rights information to improve service delivery in municipalities.

More specifically, the PRP supports the Ministry of Justice (MoJ) to own and direct the property reform process. It coordinates technical inputs from the European Union funded Civil Code and Property Rights (CCPR) project to assist the MoJ to develop property reform legislation as well as inputs from other donor funded projects and government line ministries and agencies to assist the MoJ to rationalize reform efforts and maximize development impacts. PRP works closely with the Kosovo Judicial Council and four Courts of Merit to develop and pilot improved court procedures related to property claims, with emphasis on improving court practices to remove constraints to women inheriting property in practice. In addition to helping the courts to improve performance, PRP assistance to the courts also helps to inform development of implementation oriented property legislation. Results produced by PRP in these areas contributes to achieving USAID/Kosovo's Country Development Cooperation Strategy Development (CDCS) Objective 1 "Improved Rule of Law and Governance that Meets Citizens' Needs." Improved legislation and court procedures also support creation of an Improved Economic Governance and Business Environment under the CDCS Development Objective 2 "Increased Investment and Private Sector Employment."

The PRP supports USAID Forward implementation and Local Solutions by building sustainable organizational and technical capacity of Kosovo Civil Society Organizations (CSOs) and municipal governments to manage and administer USAID direct awards through grants and Government to Government (G2G) agreements. PRP provides technical assistance to CSOs to develop and implement public information and advocacy campaigns to inform women and men about women's rights to property and change attitudes and behaviors about women's rights to inherit property. Capacity building assistance delivered to municipalities helps improve delivery of property related services to citizens to enable them to more efficiently enabling citizens to more efficiently transact their rights to property.

EXECUTIVE SUMMARY

SUMMARY OF RESULTS FOR THE REPORTING PERIOD AND KEY ACHIEVEMENTS

This quarter marked a period of transition for the Property Rights Program (PRP). Former Chief of Party (COP) tendered his resignation effective April 09, 2015. The new COP will assume his duties on July 16, 2015. During this period of transition PRP focused its attention on implementing a series of activities to position the project to accelerate the pace of implementation, achieve significant results and increase project spending over the remainder of this Fiscal Year and to lay the ground work for a clear roadmap to implement results based activities in the next.

OBJECTIVE 1: BETTER COORDINATION AND POLICY PRIORITIES

PRP provided technical assistance to the Ministry of Justice (MoJ) to take ownership of and lead an inclusive and participatory process to develop Kosovo's National Strategy on Property Rights. With PRP assistance the MoJ facilitated a two day's workshop with 80 stakeholders from government line ministries and agencies, courts, civil society and donor funded projects to discuss and agree the major thematic topics to be included in the Strategy. Both the Minister of Justice and the USAID Mission Director participated in the event. In advance of the event, PRP worked closely with the MoJ to develop an issues document that discussed and presented thematic clusters of land tenure and property rights issues, their implications for sustainable development in Kosovo and strategic considerations. The document was sent to stakeholders in advance of the event to help facilitate lively and participatory debate. Priority activities for the next quarter is to deliver technical assistance to develop concept notes providing in-depth analysis of the thematic issues agreed during the event.

PRP also facilitated a workshop with stakeholders to discuss options for extending the mandate of the Kosovo Property Agency (KPA) to execute evictions of persons illegally occupying the property of persons displaced by the conflict in 1999. The overwhelming majority of displaced persons who filed a successful claim with the agency did not request an eviction because they were not prepared to return to their property. In light of this fact, the question presented to workshop participants was whether the remedy of eviction today constitutes a fair, effective and final Remedy Compliant with European human rights standards. As the majority of displaced persons are members of non-majority communities, outcomes from the workshop will help inform development of PRP activities to strengthen the property rights of non-majority communities in the next quarter.

Coordination with the EU funded Civil Code and Property Rights Project (CCPR) improved during the quarter and a regular monthly coordination meeting at the MoJ was established. Experts from both the PRP and CCPR projects assisted the MoJ's efforts to conduct legal analysis to develop safeguards to prevent women from being forced to renounce their rights to inherit property (please see Objective 3 below).

OBJECTIVE 2: IMPROVED COURT PROCEDURES RELATED TO PROPERTY CLAIMS

PRP developed and delivered to USAID a Court Strengthening Action Plan to guide delivery of technical assistance to four Courts of Merit (CoM) and the Kosovo Judicial Council (KJC). The Action Plan is based on the statement that the ultimate objective of the PRP is to clearly define, legally recognize and effectively implement and enforce property rights in Kosovo. A highly significant issue constraining clear property rights and clouding title to property is the large number of property rights registered in the cadaster in the name of deceased persons. As inheritance procedures must be initiated in the courts to transfer rights to update cadastral data, the Action Plan seeks to identify substantial and procedural issues that prevent efficient resolution of inheritance claims. PRP contracted expert consultants to develop a Differentiated Case Management (DCM) methodology with the CoM to systematically assess property related cases in the CoM to generate empirical data pin-pointing legal and procedural bottlenecks and to map out the entire process that a citizen must follow to transfer ownership currently in the name of a deceased ancestor. PRP priority for the next quarter is to work closely with the CoM and KJC to carefully analyze findings and recommendations from these two consultancies to develop and pilot improved court procedures through the CoM.

OBJECTIVE 3: ENHANCE WOMEN'S RIGHTS TO USE PROPERTY IN PRACTICE

The PRP commissioned a report “Gender, Property and Economic Opportunity in Kosovo” (Gender Report) that identified the legal, procedural and administrative constraints that prevent women from exercising their rights to inherit property. The report was presented at a stakeholder event attended by both the Minister of Justice and USAID Mission Director. The report resonated with the Minister of Justice who established a working group on the inheritance law to implement the report’s recommendations.

PRP and international partner Landesa established a Gender Coordination Group and legislative sub-group to implement activities to develop legislation to address the pressures exerted on women to renounce their rights to inherit property. Experts from both the PRP and the CCPR project participated in this sub-group that provided the MoJ’s working group with legal analysis on the renouncement issue that will inform development of a concept note assessing options for creating legal safeguards against women being forced to renounce their inheritance rights. The concept note will be developed with PRP assistance in the next quarter.

Findings and recommendations contained in the Gender Report also served to inform and advance development of activities across all PRP program objectives. Inter-generational inheritance consultant under Objective 2 expanded the report’s analysis when mapping out the procedural barriers women face to inherit property. Under Objective 4, PRP assessed administrative practices in municipal Civil Registry Offices that result in women being excluded from inheritance proceedings. These analyses will further inform development of court reform activities to be implemented in select municipalities in the next quarter.

PRP continued to provide capacity building support to USAID partner ATRC who is implementing the Equity for Engagement (E4E) grants program that will support PRP’s efforts to strengthen property rights. PRP assisted ATRC to develop potential grant topics and participated in an orientation workshop with sub-grantee applicants to provide them information to develop grant proposals compliant with USAID grant requirements and that will support PRP objectives. During the next quarter, PRP will engage a Behavior Change Communications (BCC) expert who will assist PRP and ATRC to build CSO

capacity to implement BCC programs to change cultural attitudes and behaviors about the rights of women to inherit property.

PRP also assisted the Agency for Gender Equality to draft Administrative Instructions (AI) to provide incentives for joint registration of marital property in the name of both spouses. Joint registration will help ensure equal participation of women and men in the property rights as a basic human right guaranteed by the Kosovo Constitution. PRP also supported public consultation of the draft AIs in four regions and Pristina.

OBJECTIVE 4: IMPROVED COMMUNICATION, ACCESS TO INFORMATION AND UNDERSTANDING OF PROPERTY RIGHTS

PRP provided clarifications to the proposal it submitted last quarter describing the activities municipalities could implement with direct funding from USAID to improve information sharing between courts and municipal offices to improve service deliver to citizens, to make it easier for citizens to transact their rights and to help improve court efficiency. Based on these clarifications, PRP proceeded with the process to select two municipalities to receive direct assistance from USAID. It is expected the selection process will be completed in the next quarter. Once completed, PRP will conduct assessments in selected municipalities to assess capacity to inform development of capacity strengthening plans and to finalize the Statement of Work for the activities municipalities will implement with direct assistance from USAID.

PROJECT ACTIVITIES

OBJECTIVE 1: BETTER COORDINATION AND POLICY PRIORITIES

ACTIVITY 1.2: SUPPORT DEVELOPMENT OF THE NATIONAL STRATEGY FOR PROPERTY RIGHTS

TASK 1.2.1: ASSIST GOK TO ANALYZE AND DRAFT LEGISLATION AND DEVELOP A NATIONAL STRATEGY ON PROPERTY RIGHTS

PRP made significant progress to assist the Ministry of Justice (MoJ) to develop the National Strategy on Property Rights. On May 20, 2015, after extensive lobbying by PRP, the Government of Kosovo (GoK) issued its decision authorizing the Ministry of Justice to draft the National Strategy on Property Rights and include the strategy in the Government's Annual Work Plan. The GoK decision also provides the MoJ with the authorization to form the Sector Working Group (SWG). The SWG will be chaired by the Minister of Justice or his designee and will be comprised of government and donor stakeholders. It will monitor development of the Strategy, validate its contents and officially present the Strategy to the Government.

With the GoK authorization in place, PRP assisted the MoJ to identify potential members and draft the request to line ministries to appoint the members of the Core Technical Group (CTG) that will be responsible to lead the Strategy's drafting. The CTG will be comprised of representatives from key line ministries and the CCRP and PRP projects. The CTG will appoint Thematic Working Groups (TWG) on an ad hoc basis to draft specific components of the Strategy. TWGs will report to the CTG. PRP will coordinate technical inputs from donor funded projects in addition to the CCPR. The MoJ submitted its request and the members of the CTG were appointed on May 26, 2015. It should be noted that the General Secretary of the MoJ announced the appointment of the CTG during the CCPR Project Steering Committee meeting also held on May 26 that was attended by the PRP. The General Secretary stated the importance of the Strategy and his interest to play an active role in its development.

Subsequent to these decisions, PRP worked closely with the MoJ's Director of the Department for European Integration and Policy Coordination and a team of MoJ staff to plan and organize a two-day's national stakeholder workshop to kick off development of the Strategy. The workshop entitled "Kosovo's National Strategy on Property Rights: Identifying Key Thematic Pillars Clustering a Wide Range of Property Rights Challenges" was held on 22-23 June, 2015. The workshop also served as the initial meeting of the SWG. Its purpose was to obtain stakeholder consensus on the topics and issues to be addressed in the strategy.

In advance of the workshop event, PRP and MoJ developed an Issues Document that was sent to participants. The document clustered the property rights challenges into 5 Thematic Pillars. Under each Pillar key challenges were summarized, implications discussed and strategic considerations listed to guide stakeholder discussion during the workshop.

MoJ and PRP also met with key stakeholders prior to the event to identify members of panels that would lead discussions under each thematic pillar. Each panel was moderated by and included panelists from both representatives of relevant local institutions and donor projects. This approach enabled discussions to be informed by international and local expertise. It also promoted local ownership of the process as well as effective donor coordination. This in turn supported sustainability by securing buy-in from relevant stakeholders through an inclusive and participatory process.

The event also demonstrated the MoJ's commitment to lead development of the National Strategy. The workshop was opened by MoJ's Secretary-General, who is serving as Chair of the Working Group for Drafting the Strategy as well as the MoJ's Director for European Integration and Policy Coordination. Additionally, MoJ officials comprising the Secretariat of the Working Group for Drafting the Strategy were present throughout the event to ensure that all input from participants was recorded and used to enrich the Issues Document. The Minister of Justice participated in the event at the end of the first day, together with USAID Mission Director. They thanked all stakeholders in attendance for their participation and answered questions. The Minister stated that development of the National Strategy on Property Rights, accompanied by a clearly defined action to plan to guide its implementation, along with a new Civil Code, are his top priorities. He also expressed his gratitude to the participants noting that the high rate of diverse participation set a high standard for an inclusive process over the coming months to develop the strategy.

Participation in the event was robust. Over 80 stakeholders from government line ministries and agencies, the courts, civil society and donor funded projects participated. The workshop also received significant media coverage. Statements by both the Minister and Mission Director were reported in all major media outlets.

In addition to promoting a sustainable, participatory and inclusive process, the workshop produced consensus on the main topics to be included in the Strategy document. Next steps agreed at the event are to present to all participants a revised Issues Document containing inputs from the event for final feedback and inputs. The Issues Document will then be finalized and provide the outline for developing the Strategy. PRP and the MoJ will also develop a road map and schedule defining roles and responsibilities, timeline and processes to produce the Strategy document.

Coordination Activities

NOTE: PRP's approved First-Year Work Plan for Fiscal Year 2015 contained Activity 1.1: Support Property Rights Coordination Strategy. Within this activity were 3 tasks; 1.1.1 Coordination with the CCPR Project; 1.1.2 Assist in the Establishment and Operation of the SWG; and 1.1.3 Coordinate Donor and Line Ministry and Agency Property Rights Activities. PRP and USAID agreed that PRP will focus its efforts on developing the substantive National Strategy on Property Rights rather than a Coordination Strategy. This will be reflected in the upcoming contract modification. Additionally, the 3 tasks described above have been fully addressed in PRP activities to date to develop the National Strategy on Property Rights and coordination with the CCPR to develop legislation to protect the rights of women to inherit property. The event to agree on topics to be included in the National Strategy constituted the first SWG meeting. Additionally, a coordination memo is in place with the CCPR. On April 29, 2015, MoJ, PRP and CCPR met to discuss and agree more specific protocols for coordination between the MoJ's working group to develop a concept note on inheritance procedures and the CCPR sub-working group on inheritance and family law. The meeting also clarified the technical analysis PRP will conduct on court and administrative procedures and practical implementation of inheritance proceedings and constraints

faced by women to exercise their rights to property that will be presented to the CCPR to inform development of legislation. The meeting also produced an agreement to have coordination meetings at the MoJ on the first Wednesday of every month beginning in June.

PRP attended the CCPR Project Steering Committee meeting on May 26, 2015 at the MoJ. The CCPR Team Leader confirmed at the meeting that the presence of PRP and CCPR experts on both the MoJ's working group on "Implementation of the Inheritance Law" and the CCPR's working group on the Inheritance and Family Laws promotes effective coordination and provides value to the MoJ as primary beneficiary of both projects. The General Secretary of the MoJ agreed and praised the very good coordination between the two projects and appreciated their efforts to maximize benefits to the MoJ. On June 3, 2015, the first coordination meeting was held at the MoJ. During the meeting, all parties confirmed the agreed protocols are serving to promote effective coordination. PRP also used the meeting to secure assistance from the CCPR to help develop discussion points and moderate one of the panels at the Strategy workshop event described above.

As noted above, the Strategy event constituted the first meeting of the SWG. Also the government decisions authorizing establishment of the SWG and appointment of the CTG and TWG comprised of representatives from government line ministries and agencies will help guide PRP coordination of inter-ministerial and donor activities in the property sector.

Legislative Assistance

To assist development of legislation, PRP met with the Director of Legal Office of the Office of Prime Minister and Adviser to Ministry for European Integration on April 14, 2015 and obtained agreement that PRP will support drafting of Administrative Instructions (AIs) to implement the Draft Kosovo Property Comparison and Verification Agency (KPCVA) law that was expected to be passed during the quarter. The Draft KPCVA law has two aspects. The first is verification of cadastral documents to be returned from Serbia and the second is to extend the mandate of the Kosovo Property Agency (KPA) to implement the large number of KPA claims adjudicated but not yet implemented. It was agreed that PRP will provide technical inputs and financial support for an inter-ministerial workshop that took place during May 5 – 9, 2015. The workshop produced 5 AIs to govern the structure and functions of the agency. Next steps to finalize the AI's are on hold as political debates over the KPCVA law are continuing. It should be noted that the KPA was established to recognize the property rights claims of persons displaced by the conflict in 1999 and to provide successful claimants with the opportunity to request the eviction of illegal occupant(s) from the property to enable their return to the property. The extent to which the remedy of eviction and return to the property provides displaced persons unwilling or unable to return to their properties with a fair, effective and final remedy compliant with EU human rights standards, 15 years after the conflict, may be the most significant property rights issue impacting members of non-majority communities.

On June 16, 2015, PRP facilitated a workshop entitled "Implementation of Decisions Issued by the Kosovo Property Rights Agency (KPA): Options for Providing Successful Claimants with a Fair, Effective and Final Remedy Compliant with European Human Rights Standards". PRP proposed the following topics for discussion:

- The majority of successful KPA claimants were given the option to repossess their property but requested the KPA to place their properties under administration instead. Is repossession a fair, effective and final remedy compliant with EU human rights standards?

- If not, what options for a fair and effective remedy are available?
- What are the challenges and obstacles to providing such a remedy?

The event was attended by 25 participants from 11 institutions including the KPA, EU Special Representative’s Office, EULEX, OSCE, Kosovo Police Including the Advisor to the Office of the Prime Minister, Office of Community Affairs. Analysis of the event’s outcomes will help inform development of activities to strengthen the property rights of members of non-majority communities.

ACTIVITY 1.3: REVIEW INHERITANCE LAW AND PROCEDURES TO IMPROVE SECONDARY LEGISLATION AND COURT DIRECTIVES

Please see legislative activities described under Activity 3.2 below.

ACTIVITY 1.4: PROJECT INTRODUCTION EVENT

This activity was implemented and completed in the previous quarter.

OBJECTIVE 2: IMPROVED COURT PROCESSES RELATED TO PROPERTY CLAIMS

ACTIVITY 2.1: ASSIST KJC AND STAKEHOLDERS TO IDENTIFY GAPS TO RESOLVE PROPERTY CLAIMS

On May 25, 2015, PRP submitted to USAID its Court Strengthening Action Plan for the period May 2015 through April 2016. The Action Plan will serve to guide development of Objective 2 activities for the remainder of this Fiscal Year. Next year’s work plan will be largely shaped by and reflect the Action Plan.

The Action Plan is based on the statement that the ultimate objective of the PRP is to clearly define, legally recognize and effectively implement and enforce property rights in Kosovo. A highly significant issue constraining clear property rights and clouding title to property in Kosovo is the “inheritance problem” manifested by a large number of property rights registered in Municipal Cadastral Office (MCO) records in the name of deceased persons. Kosovo Cadastral Agency (KCA) data indicates that approximately 23% of title documents produced through systematic registration do not provide clear title in the name of the person possessing and claiming ownership of the property registered. Instead, the property is registered in the name of a deceased ancestor. Anecdotal information indicates that due to inter-generational inheritance issues, upwards of 40% or more properties registered in MCOs do not have clear title and many of these cases may eventually be referred to courts, contributing to case back log. Additionally, the PRP participatory court assessment activity shed light on other categories of problematic cases that share similar fact patterns preventing registration of clear rights to property and that are not being adjudicated efficiently by the courts.

As such, PRP’s overarching court strengthening strategy is to assist the four Courts of Merit (CoM) to adapt and apply best practices in mass claims adjudication techniques to develop and pilot more uniform, consistent and streamlined court procedures and practices to resolve and adjudicate problematic categories of property claims and disputes. Through this approach, PRP will assist the CoM to increase

efficiency, improve the quality and predictability of court decisions, help to reduce case backlog and contribute towards increasing the percentage of clear title registered in Kosovo.

Success of this strategy will be measured according to the following metrics:

- Reduction in the number of categories of cases adjudicated through contested claims procedures and adjudicated instead through more streamlined administrative procedures. A number of institutional constraints endemic to contested claims that impede court efficiency and contribute to case backlog have been well documented by several USAID funded rule of law projects over the years. Rather than initially attempting to address intransigent constraints, a more pragmatic approach to achieving quick wins and demonstrable successful outcomes is to reduce the number of contested claims by ensuring that claims and disputes that need not be resolved through a contested procedure are not tracked and processed as such.
- Reduction of the current baseline average of 1250 days (as determined by PRP based on statistics provided by the USAID EROL project and the Kosovo Judicial Council (KJC)) to resolve a property claim.
- Increase the percentage of property claims resolved within 2 years from filing from the current baseline of 32% (determined by PRP as above).
- The number of backlog property cases (those pending for more than 2 years) adjudicated.
- Ultimately, an increase in the percentage of properties registered in MCOs with clear property title. It is noted that PRP has not been able to obtain accurate figures from the KCA on this metric. It will continue to engage with the KCA to do so.

PRP's court strengthening strategy will be implemented through an Action Plan built on four conceptual pillars:

1. Identify, describe and define the categories of property related claims and disputes in the courts to assist the CoM to determine the scope and scale of problematic cases that constrain court efficiency and performance and adjudication of clear property rights that can be registered in MCOs.
2. Develop court procedures and practices, policy and legislation to efficiently and effectively adjudicate problematic property claims and disputes and protect the property rights of women and members of minority communities.
3. Identify categories of property claims and disputes referred to courts appropriate for mediation or adjudication through streamlined administrative procedures rather than through contested claim procedures.
4. Strengthen judicial capacity to effectively implement improved procedures and practices.

TASK 2.1.2: ASSIST COURTS TO CONDUCT A PRELIMINARY REVIEW OF THE LEGAL AND PROCEDURAL ISSUES PREVENTING EFFICIENT RESOLUTION OF CLAIMS

This task is addressed under Pillar 1 of the Action Plan. Under Pillar 1, PRP will provide the four CoM with technical assistance to produce analysis necessary to develop court strengthening activities. Clearly defining the categories of claims and disputes and procedural case flow issues that constrain court

efficiency is the essential first step to develop improved court procedures and practices under Pillar 2 of this strategy. Additionally, findings and recommendations from this analysis will enable PRP to identify property claims and disputes appropriate for mediation and to be adjudicated under stream lined administrative procedures rather than contested claims procedures. Defining such categories also provides clarity on legislative gaps and omissions that impede court performance as well as implementation of legislation in practice.

PRP worked closely with the four CoM to agree the methodology to conduct a Differentiated Case Management (DCM) closed case analysis of property related cases in each of the CoM. PRP contracted a DCM expert with more than 30 years' experience in the New York State Courts System to carry out the assessment in Kosovo beginning in the first week of June. During three weeks in June, the consultant developed data definitions for substantive legal and case flow issues for property claims and disputes and data collection tools, methodologies and a data entry spreadsheet that will perform multiple statistical analyses of closed case data including external and internal variables. PRP also identified and contracted four data collection consultants that were provided hands on training by the DCM consultant and PRP in the Ferizaj Court of Merit as they began to review closed case files in the court and collect data. The DCM expert will deliver next quarter an initial analytical report containing findings, recommendations and an implementation plan for specific reforms to improve court efficiency and performance to be developed and piloted in the CoM. These recommendations will be further refined with additional data obtained from the other 3 CoM.

PRP also contacted an expert consultant to identify the most common fact patterns in inter-generational inheritance cases in Kosovo; each to serve as the basis for a "case study". During June, the consultant interviewed judges, notaries and representatives from Municipal Cadastral Offices and Civil Registry Offices to map out the entire process that a citizen must follow to register property currently in the name of a deceased ancestor in the citizen's name. The consultant reviewed legislation to identify gaps and inconsistencies. During the process the consultant also identified municipal and court practices that constrain women from exercising their rights to property (please activity 3.4). The consultant will deliver next month her final report containing analysis that PRP will use to assist the CoM to develop and pilot procedures to make it easier for citizens to complete inheritance proceedings to demonstrate property rights that can then be registered in the cadaster.

NOTE: TASK 2.1.1 Systematically Canvas Existing Databases to Identify the Most Problematic Property Related Cases in the Courts System, has proven problematic due to a lack of consistent statistical data generated by the Kosovo Judicial Council and the USAID Effective Rule of Law Project. For this reason, PRP has determined the DCM methodology described above provides a more effective and accurate analysis of problematic types of property cases.

TASK 2.1.3: CONDUCT FOCUS GROUP DISCUSSIONS TO GATHER QUALITATIVE DATA ABOUT COURT AND MUNICIPAL PROCEDURES AND PRACTICES THAT CONSTRAIN WOMEN AND MEMBERS OF MINORITY COMMUNITIES FROM EXERCISING THEIR RIGHTS TO PROPERTY

As described above, the inter-generational consultant has conducted targeted interviews with judges and municipal officials to identify court and municipal procedures and practices that constrain women from exercising their rights to inherit property. In parallel, PRP facilitated a workshop with officials from the Civil Registry Offices (CROs) offices of Peja, Gjilan, Kamenica, Suhareka, Vushtrri, Istog, Skenderaj, Shtërpce, Lipjan and Novoberde municipalities on May 20, 2015. The purpose of the workshop was to

identify the legal, procedural, technical, and practical issues and constraints faced by CROs to conduct due diligence and provide safeguards to ensure families do not exclude women heirs from the Death Act presented to courts in inheritance proceedings

The workshop identified:

- CROs narrow interpretation of its mandate, if a task/responsibility is not clearly defined in the Law on Civil Registers (LCR) it will not be carried out;
- The need to resolve any inconsistencies and clarify in the relevant legislation the roles and responsibilities of RCOs, MCOs and courts;
- The need for CROs to better utilize electronic data at their disposal and realize current data management capacity – although the LCR requires CROs to produce a family brochure (list of family members) the Civil Registration Agency and the Ministry of Internal Affairs has not yet authorized the process to produce family brochures. The lack of central guidance results in inconsistent procedures and practices between municipal CROs.

Information gathered during the workshop was shared with the inter-generational inheritance consultant to inform recommendations for developing solutions to provide safeguards against women being excluded from inheritance proceedings and improve efficiency in inheritance proceedings generally.

As part of its efforts to produce a report providing a comprehensive legislative analysis of the main property rights issues impacting the property rights of members of non-majority communities and the constraints they face to exercise these rights in practice, local sub-contractor CRPK conducted focus group discussions with officials from the Kosovo Property Agency (KPA), selected police officials and prosecutors assigned to 7 Basic courts in Kosovo; selected Judges in the Basic Courts of 6 regions; and representatives from Municipal Cadastral Offices (MCOs) in Pristina, Mitrovica, Prizren Gjilan, Ferizaj and Peja. The purpose of these focus group discussions was to identify court, police and municipal procedures and practices that prevent members of non-majority communities from fully exercising their property rights in practice. CRPK produced a report summarizing the main points of discussion, but has experienced significant delay to incorporate its findings into a quality analytical report. PRP has provided guidance to CRPK to complete the report and expects to receive a product of satisfactory quality in the next quarter.

TASK 2.1.4: BUILD CAPACITY OF PRP JUDICIAL REFORM SPECIALIST AND KJC TO TRAIN COURTS TO EMPLOY METHODOLOGIES CUSTOMIZED FOR KOSOVO TO ASSESS COURT REGULATIONS, ADMINISTRATIVE GUIDELINES AND SUPREME COURT DIRECTIVES

Under Task 2.1.2 above, the DCM expert consultant trained the PRP Judicial Reform Specialist (JRS) in the standard DCM methodology and then worked closely with him to customize its application to the situation in Kosovo. They then worked closely with the CoM to build capacity and instill its ownership of the data collection methodology. The next step in the process is to present the empirical data collected and analysis to the CoM through an evidence based learning approach. PRP will then work closely with the CoM to assess its procedures and practices in light of the data analysis to develop and pilot strengthened procedures to improve court efficiency and performance.

TASK 2.1.5: CAPTURE LESSONS LEARNED AND PROMOTE EVIDENCE BASED LEARNING FROM THE ASSESSMENT PROCESS

During the next quarter, PRP and the CoM will analyze the findings and recommendations produced by the DCM and inter-generational inheritance consultants to develop a legislative strategy and action plan that will guide development of strengthened court procedures and practices.

ACTIVITY 2.2: ESTABLISH FOUR COURTS OF MERIT

TASK 2.2.1: DEVELOP SELECTION CRITERIA AND PROCESSES

The four Courts of Merit were selected and established during the previous quarter.

TASK 2.2.2: PROVIDE CAPACITY BUILDING SUPPORT TO THE COURTS OF MERIT

Activities under Task 2.1.2 will enable PRP and the CoM to conduct analysis and develop an implantation plan approach in the next quarter that will define and map out the capacity building support that will be delivered to the CoM over the coming year.

TASK 2.2.3: PILOT REFORMS

As discussed above, in the next quarter PRP will work with the CoM to analyze empirical data, findings and recommendations from the reports produced under Task 2.1.2 to develop and then pilot reform activities.

ACTIVITY 2.3: DEVELOP TRAINING MODULES AND OVERSEE DELIVERY THROUGH APPROPRIATE KOSOVAR TRAINING INSTITUTIONS

PRP has identified Chuck Erikson to work with PRP, CoM and the KJC in the next quarter to analyze findings from the assessment reports produced under Task 2.1.2 above to produce an initial analysis of gaps in judges' practical skills and substantial legal knowledge. The specific tasks to be performed by Mr. Erikson will be determined in the next quarter. It is anticipated that once the initial gaps analysis is completed, PRP will facilitate a training needs workshop through the CoM and KJC with the Kosovo Judicial Institute (KJI) and Kosovo Bar Association (KBA) to present, further develop and obtain consensus on the gaps analysis. This workshop will serve as the basis for developing the standard core curriculum on property law to be offered through the KJI. A complimentary sub-module for lawyers will be developed with and offered through the KBA.

OBJECTIVE 3: ENHANCED WOMEN'S RIGHTS TO USE PROPERTY IN PRACTICE

ACTIVITY 3.1: PROVIDE ASSISTANCE TO USAID-ENGAGED CSOS TO DEVELOP CULTURALLY SENSITIVE FILM/TV CONTENT TO INCREASE PUBLIC AWARENESS ABOUT WOMEN'S PROPERTY RIGHTS AND ADMINISTER USAID AWARDS

In furtherance of Tasks 3.1.1 and 3.1.2 under this activity, PRP assisted ATRC, the CSO selected by USAID to implement its Engagement for Equity (E4E) program to develop grant topics to be included in the RFA to solicit proposals from and select CSOs to whom to issue sub-grants. PRP, in close collaboration with ATRC developed 25 illustrative grant topics to assist CSOs to develop grant proposals that would advance objectives of the PRP.

PRP then participated in all the orientation workshops organized by ATRC to assist CSO applicants to develop grant proposals compliant with E4E requirements. PRP provided information and general guidance to applicants to develop proposals that would promote the objectives of both the broader ATRC E4E program as well as the specific objectives of PRP to strengthen the property rights of women in practice. A large number of CSOs attended workshops held in 9 municipalities: Gjilan, Gracanica, Shtirpce, Prizren, Gjakova, Peja, Mitrovica South and Mitrovica North and Prishtina.

As it is expected that a significant portion of the grants awarded to support PRP objectives will be designed to promote Behavior Change Communication (BCC) outreach campaigns to change cultural attitudes and behaviors about the rights of women to inherit and own property, PRP will contract a BCC expert to provide technical assistance in the next quarter. The BCC expert will assist PRP and ATRC to develop a coordinated communications strategy to maximize delivery of BCC messages to Kosovo's citizens. The expert will also assist PRP to develop technical specifications to tender and contract a local production company to produce TV content and train PRP to develop the BCC messages that constitute the content to be disseminated through TV.

The BCC consultant will utilize the research produced by local sub-contractor UBO Consulting last quarter through the Knowledge Attitudes and Practices (KAP) survey it implemented. This data will help identify target audiences and refine messages developed during previous PRP facilitated participatory BCC workshops. On June 10, 2015 PRP organized an event to present empirical baseline data from the KAP survey to facilitate discussion among relevant stakeholders about and discussion about public knowledge and cultural attitudes and behaviors about women's rights to inherit property. The meeting was attended by over 50 stakeholders including representatives from local CSOs, government agencies, and donor projects. The meeting served to validate the findings of the KAP survey and help inform development of PRP activities to strengthen legal safeguards to ensure women are not pressured to renounce their inheritance rights. The data presented during the event has been formatted as "trigger points" that will be posted on USAID'S website and social media to provide wider audience with empirical data about citizens' perceptions and the ability of women to exercise their property rights in practice.

ACTIVITY 3.2: CONDUCT AN IN-DEPTH ANALYSIS OF THE LEGISLATIVE GAPS AND PROBLEMS RELATED TO WOMEN'S RIGHTS

TASK 3.3.2: SYSTEMATIC REVIEW OF EXISTING LEGISLATION THAT PREVENTS WOMEN FROM EXERCISING PROPERTY RIGHTS

PRP analytical and assessment activities related to legislation, court practices and administrative procedures are discussed above under Task 2.1.3.

ACTIVITY 3.3: IMPROVE LAWS RELATED TO WOMEN'S OWNERSHIP AND INHERITANCE RIGHTS

TASK 3.3.1: EXAMINE SOCIAL NORMS AND POWER DYNAMICS BETWEEN MEN AND WOMEN THAT PREVENT WOMEN FROM EXERCISING THEIR PROPERTY RIGHTS

During the previous quarter, Dr. Sandra Joireman produced for PRP a report entitled "Gender, Property and Economic Opportunity in Kosovo" (Gender Report). This constituted timely delivery of the contract deliverable requiring a report identifying the social, economic and legal gaps and problems related to the implementation of women's property related rights.

On April 22, 2015, the PRP hosted and facilitated a discussion on the Gender Report with key stakeholders. The USAID Mission Director and the Minister of Justice delivered remarks to participants, emphasizing the role that strengthening the property rights of women plays in promoting the rule of law in Kosovo and its contribution to economic growth. The Minister of Justice also confirmed the commitment of the Ministry to develop legal safeguards to protect women against being coerced to renounce their rights to inherit property. Discussion with stakeholders highlighted a range of issues preventing women from effectively exercising their property rights, and constraining opportunities to engage in business activities. The event was widely covered by the media. PRP also produced a summary of comments, suggestions and recommendations provided by stakeholders at the event that was then disseminated to all participants.

Findings and recommendations contained in the report have served to inform and advance development of activities across all PRP program objectives to strengthen the property rights of women. This has helped to improve activity coordination within PRP to ensure gender is fully mainstreamed in the program.

The report also had resonance with the MoJ. In response to the report's recommendations related to the inheritance process, the MoJ instituted a working group on "Implementation of the Inheritance Law". Technical experts from both the PRP and the EU's CCPR project are members of the working group which has served to strengthen effective coordination between the two projects.

The first working group meeting took place on May 27, 2015. The MoJ informed the group its purpose is to develop procedural safeguards to prevent women from being coerced to renounce their rights to inherit property and the first step in this process is to produce a legal memo that will assist the MoJ to develop a concept note to address the issue.

To ensure the inheritance issue is fully addressed with a wide range of stakeholders, PRP, with assistance from its international partner Landesa, established the Gender Coordination Group on Property Rights (GCG). During the first week of June, 2015 PRP facilitated the first GCG workshop during which the

members developed the GCG Mission Statement, Coordination Action Plan and Learning Agenda. The purpose of the GCG is to establish a well-defined forum for coordinating activities of government agencies, CSOs and donor funded projects to strengthen women's property rights. The technical focus of the first workshop was on issue of women's renouncement of their rights to inherit property.

PRP and Landesa also assisted establishment of a legislative sub-group within the GCG comprised of PRP, CCPR, GIZ Cadastre, Agency for Gender Equality, MoJ, Kosovo Women's Network, the Chamber of Notaries and a Member of Parliament. PRP mobilized the legislative sub-group to assist development of a comparative study of renouncement practices internationally and regionally and produce legal analysis to be presented to the MoJ working group on implementing the inheritance law. The first draft of the analysis was presented to the MoJ at the end of the quarter and will be further developed in the next.

Additionally, PRP and Landesa assisted the legislative sub-group to develop a broader legislative agenda to strengthen the property rights of women. The agenda will largely define coordination with the CCPR project on priority legislation.

In parallel with developing the legislative agenda, PRP began development of its internal strategy and action plan for a wider range of gender activities across all program objectives to be implemented in the coming year. The legislative agenda and internal gender activity implementation plan will be finalized in the next quarter.

PRP also continued to provide assistance to the Agency for Gender Equality (AGE) to draft the Administrative Instruction (AI) for Registration of Common Property. The AI is intended to provide incentives for joint registration of marital property in the name of both spouses. Incentives include waiver of registration fees and reduction of property and transaction taxes. Joint registration will help ensure equal participation of women and men in the property rights as a basic human right guaranteed by the Kosovo Constitution.

PRP experts, together with experts from the GIZ Land Management and Cadaster Project in cooperation with the Agency for Gender Equality, produced the first draft of the AI on April 05, 2015. During the week of May 25, 2015, PRP helped facilitate public discussions on the AI in: Peja region including municipalities of Istog, Klina, Gjakova and Junik; Gjilan region, including municipalities of Kamenica and Vitia; Mitrovica region, including municipalities of Vushtrri and Skenderaj; Prizren region, including municipalities of Suhareka; and Prishtina municipality. Municipal officials and CSOs provided feedback and input that will help strengthen the AIs and improve implementation in practice. Suggestions will be incorporated into the next draft of the AI that is expected to be submitted for government approval in September, 2015.

ACTIVITY 3.4: ANALYZE GAPS AND IMPROVE COURT PROCEDURES RELATED TO WOMEN'S PROPERTY RIGHTS

PRP analysis under this activity is described under Task 2.1.3 above.

ACTIVITY 3.5: PROVIDE ASSISTANCE TO CSOS THAT ASSIST WOMEN TO DEVELOP STRONGER BUSINESSES USING PROPERTY AS COLLATERAL

PRP conducted meetings with the USAID Empower project to identify potential collaboration on activities that will promote economic empowerment of women by using property to leverage finance.

Discussions have not yet resulted in identification of concrete activities but have served to develop modalities for better coordination and cooperation between the projects.

PRP met with European Bank for Reconstruction and Development (EBRD) & Turkish Enterprise Bank (TEB) to discuss PRP support to their joint Women in Business Program. A preliminary agreement was reached that PRP will provide training on women's property rights at the EBRD and TEB regional workshops on Women in Business. PRP will finalize the terms of the agreement in the next quarter.

PRP will also meet with the new management team in the USAID Advancing Kosovo Together project in the next quarter to explore opportunities to collaborate on that project's economic development activities.

NOTE: Tasks 3.5.1 and 3.5.2 under this activity have been completed.

OBJECTIVE 4: IMPROVED COMMUNICATION, ACCESS TO INFORMATION AND UNDERSTANDING OF PROPERTY RIGHTS

ACTIVITY 4.1: COORDINATE STAKEHOLDER PROPERTY INFORMATION TO FACILITATE SELECTION OF MUNICIPALITIES TO RECEIVE USAID FORWARD G2G FUNDING AND HELP ENSURE SUSTAINABILITY OF THE FUNDING SUPPORT

PRP has met with a range of relevant stakeholders to obtain feedback and consensus on the feasibility and sustainability of the direct assistance to municipalities proposed by PRP to USAID. Stakeholders consulted included the CEO of the Kosovo Cadastral Agency, General Secretary and Head of Legal Department at the Ministry for Local Self-Government, representatives of the GIZ Land Management/Cadastral Project and officials from a representative sample of seven municipalities. There is consensus that the proposed activities are both responsive to municipal needs to improve sharing of property related information and are sustainable. In discussions with USAID, it was agreed that it would be especially cumbersome and inefficient to manage the selection process through a large group of stakeholders. PRP was requested instead to conduct an objective, transparent and more streamlined selection process in close consultation with USAID.

ACTIVITY 4.2: DEVELOP CRITERIA AND PROCESSES FOR SELECTION OF MUNICIPALITIES

During the last quarter, PRP submitted a substantially revised proposal for municipal activities to be funded by USAID with direct assistance. USAID agreed the proposal in principal along with a request to clarify a few technical issues. In discussions with USAID on May 26, 2015, it was agreed that PRP should begin to implement the selection process described in the proposal.

PRP began to implement Step 1 of the selection process by applying objective performance criteria including collection of Own Source Revenue, number and type of regulations produced by the municipality to provide citizens with property-related services, publication of audit reports and publication of transactions involving municipal property assets as required by law to identify and eliminate the worst-performing municipalities and identify better performing municipalities to proceed to the next step. PRP completed the first step and identified the following 13 municipalities to proceed to the next step: Deçan/Dečan, Dragash/Dragaš, Gllgovc/Glogovac, Fushë Kosovë/Kosovo Polje,

Kamenicë/Kamenica, Kaçanik / Kačanik, Lipjan/Lipjane, Malishevë/Mališevo, Mamushë/Mamuše, Obiliq/Obilič, Podujevë/Podujevo, Shtërpcë/Štrpce and Viti/Vitina. PRP then met with officials from each of these municipalities to inform them about the process and encourage their participation in it.

Under Step 2 of the process, PRP developed a questionnaire to help assess the municipalities' vision and approach to use the assistance to improve delivery of services to citizens. The municipality will also be required to sign a letter stating its commitment to ensure women and members of non-majority communities benefit from the assistance equally. The questionnaire and letter of commitment will be sent to the eligible municipalities in the next quarter.

PRP will then grade the questionnaires and provide USAID recommendations for selection based on the scores assigned. This will then conclude Step 3 of the process. It is expected that the selection recommendations will be provided to USAID by the end of July, 2015.

ACTIVITY 4.3: ASSESS POSSIBLE ACTIVITIES FOR THE MUNICIPALITIES SELECTED FOR G2G FUNDING

As noted above, PRP provided USAID with a proposal describing the activities municipalities will implement with direct funding from USAID. These activities have been discussed and agreed with USAID.

ACTIVITY 4.4: ASSESS MUNICIPAL BUSINESS PROCESSES FOR SHARING PROPERTY RELATED INFORMATION AND PROPOSE TECHNICAL SOLUTIONS

As described above under Task 2.1.3, assessments of processes to obtain property related information from municipalities have focused on identifying the constraints that prevent women and members of non-majority communities from exercising their property rights and exclusion of women from inheritance proceedings. In the next quarter, PRP will conduct assessments in selected municipalities to assess capacity to inform development of capacity strengthening plans and to finalize the Statement of Work for the activities municipalities will implement with direct assistance from USAID.

3.0 PROJECT SPECIFIC PERFORMANCE INDICATORS

Performance Indicator	DO & IR that the project supports	Baseline Value	Target Yr. 1 2014/15	Actual Yr. 1 2014/15	LOP Target	LOP Actual	Quarter 5/ Comments
OBJECTIVE 1: IMPROVE COORDINATION AND POLICY PRIORITIES							
1.1} Number of policies drafted and approved	<i>DO: Improved Rule of Law and Governance that meet Citizen's Needs</i> <i>IR: More Efficient, Transparent, Independent & Accountable Justice Sector; Civil Society Strengthened to Increasingly Engage Constructively with Government</i>	0	1	0	2	0	N/A
1.2} Number of laws drafted and approved	<i>DO: Improved Rule of Law and Governance that meet Citizen's Needs</i>	0	0	0	6	0	N/A

Performance Indicator	DO & IR that the project supports	Baseline Value	Target Yr. 1 2014/15	Actual Yr. 1 2014/15	LOP Target	LOP Actual	Quarter 5/ Comments
	<i>IR: More Efficient, Transparent, Independent & Accountable Justice Sector; Civil Society Strengthened to Increasingly Engage Constructively with Government</i>						
1.3} Number of secondary legislation drafted and approved	<p><i>DO: Improved Rule of Law and Governance that meet Citizen's Needs</i></p> <p><i>IR: More Efficient, Transparent, Independent & Accountable Justice Sector; Civil Society Strengthened to Increasingly Engage Constructively with Government</i></p>	0	1	6 (Drafted)	19	6 (Drafted)	<p>1. Draft Administrative Instruction (GRK) No X/2015 on special measures for the registration of property in names of both spouses.</p> <p>2. Draft Administrative Instruction on the rules of procedure and general principles of the Supervisory Board of Kosovo Property Comparison and Verification Agency</p>

Performance Indicator	DO & IR that the project supports	Baseline Value	Target Yr. 1 2014/15	Actual Yr. 1 2014/15	LOP Target	LOP Actual	Quarter 5/ Comments
							<p><i>(Article 6, par.8.)</i></p> <p><i>3.Draft Administrative Instruction on the duties, responsibilities and organization of the Executive Secretariat including the Criteria for appointment of the Director and Deputy Director of Kosovo Property Comparison and Verification Agency (Article 7, par 5.and 8)</i></p> <p><i>4. Draft Administrative Instruction on exempting property rights holders from</i></p>

Performance Indicator	DO & IR that the project supports	Baseline Value	Target Yr. 1 2014/15	Actual Yr. 1 2014/15	LOP Target	LOP Actual	Quarter 5/ Comments
							<p><i>payment of utilities for properties under Kosovo Property Comparison and Verification Agency administration.</i></p> <p><i>5.Draft Administrative Instruction on the Duties, responsibilities and rules of procedure of the Property Verification and Adjudication Commissions (Article 10, par.7)</i></p> <p><i>6..Draft Administrative Instruction on procedures, conditions and criteria of ending the</i></p>

Performance Indicator	DO & IR that the project supports	Baseline Value	Target Yr. 1 2014/15	Actual Yr. 1 2014/15	LOP Target	LOP Actual	Quarter 5/ Comments
							<i>administration of properties under administration and properties include on rental scheme of Kosovo Property Comparison and Verification Agency(Article 21, par.7and 8).</i>
OBJECTIVE 2: IMPROVED COURT PROCESSES RELATED TO PROPERTY CLAIMS							
2.1) Number of court procedures and secondary legislation related to court function and/ or improved court performance adopted and approved	<i>DO: Improved Rule of Law and Governance that meet Citizen's Needs</i> <i>IR: More Efficient, Transparent, Independent & Accountable Justice Sector</i>	0	1	0	12	0	N/A
2.2) Number of days it takes for courts to resolve a property case reduced	<i>DO: Improved Rule of Law and Governance that meet Citizen's Needs</i> <i>IR: More Efficient, Transparent, Independent & Accountable Justice</i>	January, 2015	0	0	>25%	0	N/A

Performance Indicator	DO & IR that the project supports	Baseline Value	Target Yr. 1 2014/15	Actual Yr. 1 2014/15	LOP Target	LOP Actual	Quarter 5/ Comments
	<i>Sector</i>						
2.3) Percent of property disputes cases resolved in courts	<i>DO: Improved Rule of Law and Governance that meet Citizen's Needs</i> <i>IR: More Efficient, Transparent, Independent & Accountable Justice Sector</i>	<i>January, 2015</i>	0	0	>40%	0	N/A
2.4) Percent of court users satisfied with court services on resolving property disputes	<i>DO: Improved Rule of Law and Governance that meet Citizen's Needs</i> <i>IR: More Efficient, Transparent, Independent & Accountable Justice Sector</i>	<i>KAP-Survey April, 2015</i>	0	0	>40%	0	N/A
2.5) Number of judges, lawyers and court staff trained with USG assistance	<i>DO: Improved Rule of Law and Governance that meet Citizen's Needs</i> <i>IR: More Efficient, Transparent, Independent & Accountable Justice Sector</i>	0	0	0	450	0	N/A

Performance Indicator	DO & IR that the project supports	Baseline Value	Target Yr. 1 2014/15	Actual Yr. 1 2014/15	LOP Target	LOP Actual	Quarter 5/ Comments
2.6 Number of USG-assisted courts with improved case management related to resolution of property claims and disputes	<i>DO: Improved Rule of Law and Governance that meet Citizen's Needs</i> <i>IR: More Efficient, Transparent, Independent & Accountable Justice Sector</i>	0	4	0	9	0	N/A
2.7 Number of legal courses or curricula developed/upgraded with USG assistance	<i>DO: Improved Rule of Law and Governance that meet Citizen's Needs</i> <i>IR: More Efficient, Transparent, Independent & Accountable Justice Sector</i>	0	1	0	12	0	N/A
OBJECTIVE 3: ENHANCED ABILITY FOR WOMEN TO ACCESS THEIR PROPERTY RIGHTS IN PRACTICE							
3.1 } Number of "E4E CSO-s" staff trained to implement program activities in support of USAID/ Kosovo program objectives	<i>DO: Improved Rule of Law and Governance that meet Citizen's Needs</i> <i>IR: More Efficient, Transparent, Independent & Accountable Justice Sector; Civil Society Strengthened to Increasingly Engage Constructively with Government</i>	0	0	4	80	4	N/A

Performance Indicator	DO & IR that the project supports	Baseline Value	Target Yr. 1 2014/15	Actual Yr. 1 2014/15	LOP Target	LOP Actual	Quarter 5/ Comments
3.2} Number of communication outreach products, developed and disseminated by PRP and "E4E CSO-s	<i>DO: Improved Rule of Law and Governance that meet Citizen's Needs</i> <i>IR: More Efficient, Transparent, Independent & Accountable Justice Sector; Civil Society Strengthened to Increasingly Engage Constructively with Government</i>	0	10	5	70	5	N/A
3.3} Number of communication outreach campaigns, activities and events developed and implemented by PRP and "E4E CSO-s to change cultural attitudes and behaviors about women's property rights	<i>DO: Improved Rule of Law and Governance that meet Citizen's Needs</i> <i>IR: More Efficient, Transparent, Independent & Accountable Justice Sector; Civil Society Strengthened to Increasingly Engage Constructively with Government</i>	0	7	7	114	7	N/A

Performance Indicator	DO & IR that the project supports	Baseline Value	Target Yr. 1 2014/15	Actual Yr. 1 2014/15	LOP Target	LOP Actual	Quarter 5/ Comments
3.4) Number of citizens reached by communication outreach campaigns, activities and events implemented by PRP and "E4E CSO-s	<i>DO: Improved Rule of Law and Governance that meet Citizen's Needs</i> <i>IR: More Efficient, Transparent, Independent & Accountable Justice Sector; Civil Society Strengthened to Increasingly Engage Constructively with Government</i>	0	200	9265	100,500	9265	N/A
3.5) Percentage of citizens who recognize the PRP and E4E CSO campaign/ brand/ identity/logo/messages/content	<i>DO: Improved Rule of Law and Governance that meet Citizen's Needs</i> <i>IR: More Efficient, Transparent, Independent & Accountable Justice Sector; Civil Society Strengthened to Increasingly Engage Constructively with Government</i>	0	0	0	<40%	0	N/A
3.6) Percentage of citizens who report changing their attitude/behavior about women's rights to inherit property and engage in economic activities after exposure to PRP and/or E4E CSO communication and outreach products, activities	<i>DO: Improved Rule of Law and Governance that meet Citizen's Needs</i> <i>IR: More Efficient, Transparent, Independent & Accountable Justice Sector; Civil Society Strengthened to Increasingly Engage Constructively with Government</i>	<i>KAP-Survey</i> <i>April, 2015</i>	0	0	<20%	0	N/A

Performance Indicator	DO & IR that the project supports	Baseline Value	Target Yr. 1 2014/15	Actual Yr. 1 2014/15	LOP Target	LOP Actual	Quarter 5/ Comments
and events							
3.7) Number of women who file inheritance claims in the court	<p><i>DO: Improved Rule of Law and Governance that meet Citizen's Needs</i></p> <p><i>IR: More Efficient, Transparent, Independent & Accountable Justice Sector; Civil Society Strengthened to Increasingly Engage Constructively with Government</i></p>	January 2015	0	0	<30%	0	N/A
3.8) Number of women inheriting property	<p><i>DO: Improved Rule of Law and Governance that meet Citizen's Needs</i></p> <p><i>IR: More Efficient, Transparent, Independent & Accountable Justice Sector; Civil Society Strengthened to Increasingly Engage Constructively with Government</i></p>	January 2015	0	0	<30%	0	N/A

Performance Indicator	DO & IR that the project supports	Baseline Value	Target Yr. 1 2014/15	Actual Yr. 1 2014/15	LOP Target	LOP Actual	Quarter 5/ Comments
3.9) Percentage of commercial bank loan collateral-based portfolio comprised of women	<i>DO: Improved Rule of Law and Governance that meet Citizen's Needs</i> <i>IR: More Efficient, Transparent, Independent & Accountable Justice</i> <i>Sector: Civil Society Strengthened to Increasingly Engage Constructively with Government</i>	January 2015	0	0	<15%	0	N/A
OBJECTIVE 4: IMPROVED ACCESS TO INFORMATION AND UNDERSTANDING OF PROPERTY RIGHTS							
4.1) Number of days to conduct property transactions reduced due to improved information systems	<i>DO: Increase Investment and Private Sector Employment</i> <i>IR: Improved Economic Governance & Business Environment</i>	28	0	0	24	0	N/A
4.2) Percent of citizens with increased knowledge of their property rights	<i>DO: Increase Investment and Private Sector Employment</i> <i>IR: Improved Economic Governance & Business Environment</i>	KAP-Survey April, 2015	0	0	<25%	0	N/A

Performance Indicator	DO & IR that the project supports	Baseline Value	Target Yr. 1 2014/15	Actual Yr. 1 2014/15	LOP Target	LOP Actual	Quarter 5/ Comments
4.3) Number of parcels corrected or incorporated into land system	<i>DO: Increase Investment and Private Sector Employment</i> <i>IR: Improved Economic Governance & Business Environment</i>	0	0	0	440	0	N/A
4.4) Land rights formalized	<i>DO: Increase Investment and Private Sector Employment</i> <i>IR: Improved Economic Governance & Business Environment</i>	0	0	0	440	0	N/A
4.5) Land administration offices established or upgraded: The number of land administration and service offices or other related facilities that the project physically establishes or upgrades	<i>DO: Increase Investment and Private Sector Employment</i> <i>IR: Improved Economic Governance & Business Environment</i>	0	0	0	4	0	N/A

4.0 SUCCESS STORY

The PRP project success story is provided on the next page.



SNAPSHOT

Strengthening Gender, Property and Economic Opportunity in Kosovo



"USAID is committed to assist the Ministry of Justice's efforts to institute safeguards that will help prevent women from being pressured to renounce their rights to inherit property because ensuring that women have equal rights to property helps empower women to engage in Kosovo's economy and contribute to its growth" - Mr. James Hope, USAID Mission Director



"As Minister of Justice, I am committed to creating the legal preconditions for equal rights in inheritance and, when necessary, to change the legislation to ensure that women think twice before giving up their guaranteed inheritance rights." - Prof. Dr. Hajredin Kuçi.

Promoting equality between girls and boys, men and women in Kosovo is crucial to ensuring sustainable progress and prosperity.

However, even though the laws addressing gender and property in Kosovo meets modern standards, there are inconsistencies within the legal framework which make the interpretation and administration of these laws often difficult and unclear.

In recognition of this challenge, the USAID Property Rights Program (PRP) is working closely with the Government of Kosovo as well as donors and CSO partner organizations in supporting the development of a multi-faceted reform effort to be undertaken by the Ministry of Justice, line ministries and agencies which aim to better clarify how women can access and retain their rightful ownership to property.

Continuing its efforts to Enhance Women's Rights to Use Property in Practice, the Program publically released a report on 'Gender, Property and Economic Opportunity in Kosovo', highlighting a range of issues currently preventing women from effectively exercising their property rights, and in some cases limiting business opportunities for women which would otherwise be available to them.

This activity is in line with the Minister's reform initiative to develop legislation that will provide stricter safeguards against undue pressure and coercion experienced by women to renounce their rights to inherit property.

Moreover, efforts to secure the property rights of more than half of Kosovo's population not only strengthens the rule of law, but it also helps to promote the country's economic growth.

Increasing the efficiency and accountability in the adjudication of property rights cases, enhancing communication and outreach activities to begin to change cultural attitudes and behaviors and improving administrative processes at the municipal level requires joint efforts with partner organizations assisting the Ministry and other government agencies involved with property rights matters in Kosovo.

Supporting the Ministry's initiative is at the core of USAID's Property Rights Program assistance to strengthen and protect women's rights to property. The continued promotion of economic opportunity for women through land will encourage a larger share for them in the growing prosperity in Kosovo.

5.0 PROJECT BRIEF UPDATE

The PRP project brief update is provided on the next page.



USAID
FROM THE AMERICAN PEOPLE

PROJECT BRIEF

KOSOVO PROPERTY RIGHTS PROGRAM

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 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

PRP made significant progress to assist the Ministry of Justice (MoJ) to develop the National Strategy on Property Rights under Objective 1. In May, 2015, the Government of Kosovo issued a decision authorizing the MoJ to lead development of the strategy and to include this initiative in the Government's work plan. Subsequent to this decision the MoJ appointed the core technical group (CTG) responsible to develop the strategy. PRP is a member of the CTG and in addition to providing technical input, it will coordinate efforts of other donor partners to support development

of the Strategy. During June 23 – 24, PRP worked with the MoJ to implement a stakeholder workshop to discuss and agree the main thematic topics and property rights issues to be addressed in the Strategy. In advance of the event, PRP produced an Issues Document that grouped priority issues into 5 thematic pillars and framed these issues for discussion. These pillars support three aspirational objectives; to strengthen the rule of law, promote economic development and support Euro-Atlantic integration. The two day workshop was attended by over 80 stakeholders and produced consensus on the main topics to be



USAID supports the Ministry of Justice to develop the National Strategy on Property Rights.

included in the Strategy. PRP supported development of Administrative Instructions (AIs) to implement the draft Law on the Kosovo Property Comparison and Verification Agency (KPCVA) that will govern the

return to Kosovo cadastral documents removed by the Serbian regime during the conflict.

In May, 2015, developed a Court Strengthening Action Plan to guide development of activities under Objective 2. The Action Plan is built on a strategy to reduce the number of property related claims that are resolved under the Law on Contested Procedure. A number of procedural requirements in this law create case flow bottlenecks that contribute to case backlog. Additionally, approximately 40% or more of all properties in the cadaster are registered in the name of deceased persons and, therefore, do not convey clear title to land. As inheritance proceedings in the courts are required to resolve this issue of inter-generational inheritance, the Action Plan also provides for a strategic approach to develop more streamlined inheritance procedures. To begin to implement the Action Plan, PRP has engaged a Differentiated Case Management (DCM) expert consultant to conduct a closed case study of property related cases

in the 4 PRP supported Courts of Merit to produce accurate, empirical data of the specific substantive and procedural caseload issues that constrain efficient resolution of property claims in the courts. PRP has also engaged an expert consultant to map out procedures and common fact patterns in inter-generational inheritance cases to inform PRP assistance to the Courts of Merit to develop and pilot improved procedures to increase court efficiency.

On April 22, 2015, PRP presented to stakeholders the “Gender, Property and Economic Opportunity in Kosovo” report produced by expert consultant Dr. Sandra Joireman. The report identified and discussed cultural attitudes and behaviors that result in pressure on women to renounce their rights to inherit property, administrative constraints that prevent women from exercising their rights in practice and how frustration of these rights negatively impacts economic development in Kosovo. In response to the report’s findings, the Minister of Justice created a legislative working group and publically stated his commitment to supporting development of legal safeguards to protect women from being pressured to renounce their rights to property. PRP and the EU funded Civil Code and Property Rights (CCPR) project are members of the working group and have provided legal analysis for a concept note that will guide development of legislation to provide the needed safeguards. Analysis from this working group will also inform CCPR’s assistance to the MoJ to amend the Inheritance and Family Laws. PRP also began to assess administrative information sharing practices between courts and municipal Civil Registry Offices that can result in women from being excluded from inheritance proceedings. The analysis will serve to inform development of procedures in the Courts of Merit under Objective 2 and direct USAID assistance to municipalities under Objective 4. To improve coordination

among government agencies and Civil Society Organizations (CSOs) implementing activities promoting equality for women, PRP established the Gender Coordination Group (GCG). The first GCG meeting was held on June 2, 2015 during which its Mission Statement, Coordination Action Plan and Learning Agenda were developed. The group has also begun to prioritize legislation that will need to be improved to strengthen women’s rights to property. PRP also worked closely with the Agency for Gender Equality to develop AIs creating financial incentives for joint registration of property. Lastly, PRP has supported USAID’s Engagement for Equity (E4E) implementing partner, Advocacy Training & Resources Center (ATRC), to develop grant topics that will assist PRP to implement activities to create opportunities for women to exercise their property rights in practice.



PRP is leading coordination activities with key stakeholders in promoting women’s rights to property.

PRP received USAID approval for the technical approach it developed to assist municipalities to implement activities with direct assistance from USAID to improve the sharing of land-related information to assist courts to more efficiently resolve property claims and to facilitate market transactions. PRP then proceeded to implement the municipal selection process described in the technical approach. It is expected the selection process will be completed in the next quarter and PRP will then begin to assess capacity in selected municipalities to inform development of activities to strengthen capacity.

Key priorities for the next quarter are to advance development of the National Strategy for Property Rights; develop and implement reform activities through the Courts of Merit; assist ATRC to implement E4E activities in support of PRP efforts to change attitudes and behaviors about women’s rights to property and assist the MoJ to develop legislation to strengthen the property rights of women; and work with USAID to issue direct funding to municipalities to improve the sharing of land-related information to assist courts to more efficiently resolve property claims and to facilitate market transactions.

6.0 MEDIA

The events facilitated by PRP have been widely covered by television, print and electronic and social media.

6.1. GENDER, PROPERTY, AND ECONOMIC OPPORTUNITY IN KOSOVO, APRIL 22, 2015:

TV Stations:

1. RTK
2. Klan Kosova
3. KTV
4. RTV 21

News Agencies:

<http://gazetatribuna.com/lajme/grate-duhet-te-kene-te-drejten-ne-prone-ajo-garanton-mireqenie-sociale-dhe-ekonomike/>

<http://lajmi.net/kuci-nuk-mjafton-ndryshimi-i-ligjeve-pa-ndryshimin-e-mentalitetit/>

<http://www.kosovapress.com/sq/nacionale/e-drejta-ne-prone-garanton-mireqenie-ekonomike-dhe-sociale-per-gruan-40694/>

<http://www.zeri.info/aktuale/29515/kuci-nuk-mjafton-ndryshimi-i-ligjeve-pa-ndryshimin-e-mentalitetit/>

<http://www.gazetaexpress.com/lajme/e-drejta-ne-prone-garanton-mireqenie-ekonomike-dhe-sociale-per-gruan-95923/>

<http://koha.net/?id=27&l=54177>

<http://www.telegrafi.com/lajme/pa-barazi-gjinore-nuk-ka-as-shoqeri-te-barabarte-2-62328.html>

<http://www.ekonomia-ks.com/?page=1,5,376372>

<http://www.kosovalive360.com/behet-prezantimi-i-raportit-per-barazine-gjinore-pronesine-e-mundesite-ekonomike.html>

<http://botasot.info/lajme/396480/e-drejta-ne-prone-garanton-mireqenie-ekonomike-dhe-sociale-per-gruan/>

<http://www.thealbanian.co.uk/e-drejta-ne-prone-garanton-mireqenie-ekonomike-dhe-sociale-per-gruan.html>

<http://www.ekonomiaonline.com/video/22593/kuci-nuk-mjaftojne-ligjet-pa-ndryshimin-e-mentalitetit/>

<http://etleboro.org/sq/!/25567878>

<http://www.ekonomia-ks.com/?page=1,11,376372>

<http://ripost.net/zeri-info/14423/e-drejta-n-pron-garanton-mir-qenie-ekonomike-dhe-sociale-p-r-gruan/>

Web site:

<http://www.md-ks.net/>

<https://www.facebook.com/usaidkosovo>

<https://www.facebook.com/pronaeperbashket>

6.2. KOSOVO'S NATIONAL STRATEGY ON PROPERTY RIGHTS, JUNE 22-23, 2015:

TV Stations:

1. RTK
2. KTV
3. RTV 21

Daily Newspapers, April 23, 2015:

1. Kosova Sot – page 8

News Agencies:

<http://www.indeksonline.net/?FaqeID=2&LajmID=167706>

<http://botasot.info/kosova/419080/sot-bisedohet-per-te-drejtat-pronesore/>

<http://klankosova.tv/kuci-do-te-kompensohen-konfiskimet-gjate-komunizmit/>

<http://koha.net/?id=27&l=63221>

<http://lajmi.net/kuci-konfiskimet-e-pronave-ne-kohen-e-komunizmit-do-te-kompensohen-me-ligj/>

<http://www.kosovapress.com/sq/ngjarje/ngjarjet-e-dates-22-qeshor-45224/>

Web site:

<http://www.md-ks.net/>

<https://www.facebook.com/usaidkosovo>

<https://www.facebook.com/pronaeperbashket>

7.0 PROJECT STAFF

CATEGORY	NO	NAME AND SURNAME	POSITION/ EXPERTISE	E-MAIL ADDRESS	ORGANIZATION	INPUT
Home Office		Mr. Justin T. Holl, Jr.	Chief of Party	justin.holl@prpkos.com	Tetra Tech ARD	Left the Program on April 9, 2015
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	3.	Mr. Nehat Ramadani	Municipal Service Delivery Specialist	nehat.ramadani@prpkos.com	Tetra Tech ARD	Ongoing
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	5.	Mr. Enver Fejzullahi	Judicial Reform Specialist	enver.fejzullahi@prpkos.com	Tetra Tech DPK	Ongoing
	6.	Merita Limani	Gender and Property Rights Specialist	merita.limani@prpkos.com	Tetra Tech ARD	Joined the Program on April 13, 2015
	7.	Gent Salihu	Rule of Law and Governance Advisor	gent.salihu@prpkos.com	Tetra Tech ARD	Joined the Program on May 5, 2015
		Ms. Odeta Hyseni	Gender and Property Rights Specialist	odeta.hyseni@prpkos.com	Landesa	Left the Program on December 31, 2014
	8.	Ms. Vjosa Shkodra	Grants and Subcontract Manager	vjosa.shkodra@prpkos.com	Tetra Tech ARD	Ongoing
	9.	Mr. Fadil Sadiku	Administration Manager	fadil.sadiku@prpkos.com	Tetra Tech ARD	Ongoing
	10.	Mr. Sherafedin Shehu	Accounting and Finance Manager	sherafedin.shehu@prpkos.com	Tetra Tech ARD	Ongoing
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