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## FOURTH ANNUAL SUMMARY REPORT

Property Rights Program (PRP)  
FY 2018 (October 2017 – September 2018)

### OCTOBER 2018

This publication was produced for review by the United States Agency for International Development. It was prepared by Tetra Tech.



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**Cover Photo:** Elementary school students meeting a woman judge who explained the role of the courts in protecting equal rights to property for girls and boys (men and women) in Kosovo.

**Photo Credit:** Allison Bustin for PRP.



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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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# ACRONYMS AND ABBREVIATIONS

AI	Administrative Instruction
AP	Action Plan of the National Strategy on Property Rights
ATRC	Advocacy Training & Resource Center
BIRN	Balkan Investigative Reporting Network
CCP2	Civil Code Phase 2 Project
CDCS	Country Development Cooperation Strategy
CFM	Caseflow Management
CLE	Contract Law Enforcement Project
CoMs	Court(s) of Merit
CMO	Case Management Office
CSO	Civil Society Organization
DO	Development Objective
DP	Displaced Person
ECHR	European Court of Human Rights
E4E	Engagement for Equity
EU	European Union
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit
GoK	Government of Kosovo
HUDOC	Human Rights Documentation
IDP	Internally Displaced Person
IQC	Indefinite Quantity Contract
IR	Intermediate Result
JSSP	Justice System Strengthening Program
KBA	Kosovo Bar Association
KCA	Kosovo Cadastral Agency
KJC	Kosovo Judicial Council
KPCVA	Kosovo Property Comparison and Verification Agency
KW4W	Kosova Women for Women
LAs	Legal Associates
MCO	Municipal Cadastral Office
MGO	Municipal Gender Officer
MoA	Ministry of Agriculture, Forestry and Rural Development
Moj	Ministry of Justice
NSPR	National Strategy on Property Rights
OSCE	Organization for Security and Cooperation in Europe

PRP	Property Rights Program
PSA	Public Service Announcement
RFQ	Request for Quotation
RTK	Radio Television of Kosovo
SPO	Strategic Planning Office
SSPL	Strengthening Spatial Planning and Land Reform in Kosovo Project
STTA	Short-Term Technical Assistance
STARR	Strengthening Tenure and Resource Rights
UNFPA	United Nations Population Fund
UNHCR	United Nations High Commissioner for Refugees
UNMIK	United Nations Interim Administration Mission in Kosovo
USAID	United States Agency for International Development
USG	United States Government

# EXECUTIVE SUMMARY

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 (PRP) assists the Government of Kosovo (GoK) to implement its National Strategy on Property Rights (NSPR), developed with PRP support, and strengthen property rights legislation; supports the development of improved court procedures and practices to efficiently adjudicate property claims and disputes; conducts public outreach campaigns to prompt changes in social attitudes and behavior concerning the ability of women to exercise their property rights and works closely with civil society organizations to support related activities; and improves service delivery in municipalities to increase the general public's understanding of property rights and make it easier for citizens to exercise their property rights.

With the GoK adopting the NSPR in January 2017, PRP is now working closely with all relevant GoK bodies to implement the strategy's recommendations. This includes assistance to strengthen the property rights legal framework by ensuring it is modern, clear, harmonized and well-integrated and implementation of activities to help citizens to formalize their property rights.

PRP has been working closely with the Kosovo Judicial Council (KJC) and three Courts of Merit (CoMs) to develop and pilot improved court procedures related to property claims. The piloting initiative has produced significant and demonstrable improvements in the CoMs' efficiency and effectiveness in adjudicating property rights cases and offers a roadmap for institutionalizing these reforms throughout the judicial system. PRP has applied findings from its close collaboration with CoM's to develop an initiative with the Supreme Court to produce guidelines for lower courts to accurately and consistently resolve complex property rights disputes. Results produced by PRP in these areas contribute 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."

PRP's most recent National Survey on Property Rights demonstrates that PRP's media campaign has sparked debate and discussion in Kosovo concerning women's property rights (which was reportedly a taboo subject previously) and is producing positive changes in social attitudes and behaviors. PRP is continuing its national media campaign and grassroots public outreach activities on women's property rights to reinforce these trends. PRP also provides technical assistance to USAID's E4E partner and E4E sub-grantees (Civil Society Organizations (CSOs)) to develop and implement activities aimed at supporting women's property rights and to complement PRP's public outreach activities. In addition, PRP has completed preparations to collect end-line data and produce the final National Survey on Property Rights report by February 2019.

At the municipal level, PRP is working with local administrations to improve their own practices and procedures and services to citizens related to property rights; provide citizens with useful legal information to enable them to more efficiently transact their rights to property; and engage more effectively with their communities on property rights issues.

## HIGHLIGHTS FOR YEAR FOUR

### OBJECTIVE I: BETTER COORDINATION AND POLICY PRIORITIES

#### IMPLEMENTING NSPR REFORMS

As of the end of Year 4 action has been taken on 89% of the pieces of legislation contemplated by the three-year NSPR Action Plan, and the Government has begun implementing 66% of measures called for by the Action Plan. Activities are being implemented on time across all five NSPR objectives.

#### INSTITUTIONALIZING OVERSIGHT OF NSPR IMPLEMENTATION

PRP and the Strategic Planning Office of the Office of Prime Minister (SPO/OPM), which constitutes the Secretariat of the Steering Committee that oversees the implementation of the NSPR, agreed to conduct a comprehensive analysis of implementation progress between April and September 2018. PRP will support the SPO as it reaches out to all implementers to assess the current state of implementation and, subsequently, will propose to the Minister of Justice to convene a Steering Committee meeting to discuss the state of implementation and prioritize implementation actions for the next six months.

PRP also worked with the SPO/OPM to incorporate NSPR measures in Kosovo's revised Economic Reform Programme (ERP), which the European Union (EU) requires of accession countries and highlights twenty national priorities. Incorporating NSPR implementation into the ERP will further institutionalize its implementation and help avoid loss of momentum due to election cycles.

#### SUPPORTING INITIATIVES TO ADDRESS INFORMALITY

A key objective of the NSPR is to develop a systematic approach to addressing large-scale informality in Kosovo. PRP initiated a series of meetings with the OPM, calling for the need to draft a Concept Document that provide for simplified procedure for formalizing informal property rights arising from informal transactions (verbal contracts). In line with NSPR recommendations, PRP supported the Kosovo Property Comparison and Verification Agency (KPCVA) to develop legislation that would expand its mandate to implement simplified procedures to formalize rights in property.

The draft amendments have been submitted to Parliament and are pending approval. Upon submission of the draft law, the GoK issued a press release stating, "the draft law was drafted in order to address the findings of the Ombudsperson and fulfilment of the obligations deriving from the National Strategy on Property Rights for the purpose of addressing large-scale informality." Additional support to the KPCVA included collaboration on developing its three-year Strategy and related Action Plan. The Strategy identifies and prioritizes 54 KPCVA activities for the next three years, including the implementation of KPCVA's new mandate to compare and verify cadastral records upon their return from Serbia.

#### PUBLISHING ALBANIAN LANGUAGE TRANSLATION OF EUROPEAN VALUATION STANDARDS

Modern valuation standards are necessary for the development of a modern property sector. In support of the GoK's expressed commitment to apply European valuation standards in Kosovo PRP supported the translation of the standards into the Albanian language and will distribute copies to appraisers, judges, lawyers, notaries and relevant officials. PRP is also seeking to have digital versions of these texts posted in the web pages of the Kosovo Association of Appraisers and other institutions.

## OBJECTIVE 2: IMPROVED COURT PROCEDURES RELATED TO PROPERTY CLAIMS

### ACHIEVING RESULTS FROM PILOTING CASEFLOW MANAGEMENT PRACTICES IN THE COURTS OF MERIT

Since mid-December 2016, PRP's assistance to implement more efficient caseflow management (CFM) practices in the selected CoM have assisted judges to issue a total of 10,741 decisions. Of these, 2,122 were to dispose the case, and 8,619 advanced the case more quickly towards disposition. These decisions have helped to remove bottle necks in case processing that have enabled the courts to address backlogged cases (cases pending on court dockets for more than two years) and help prevent backlog from occurring in the future.

PRP's CFM assistance has also helped to reduce delays in case adjudication. Case adjudication times have dropped from 1,220 days to 872 days. These times include times that previously backlogged cases remained untreated on the courts' dockets. As new cases are filed and subject to improved CFM practices from the beginning, it is expected case adjudication times will be reduced further. PRP formally presented these results to the KJC, CoM Presidents and Heads of Civil Division and representatives of USAID. In recognition of the results data presented, the KJC urged the reforms be institutionalized in all courts in Kosovo.

### INSTITUTIONALIZING CFM IN KOSOVO COURTS REFORMS

PRP hired and trained Legal Associates (LAs) to assist judges in the CoM to implement CFM practices recommended by the project. In response to the efficiencies achieved with PRP assistance and the KJC's support for institutionalizing CFM reforms, the CoM are now instituting the roles played by the LAs as a permanent court staffing position and have begun to hire LAs as permanent staff with state funding.

PRP documented its CFM practices in its *Practical Guide on the Adjudication of Property Rights Cases in Kosovo*. PRP is working closely with the USAID funded Judicial Strengthening and Support Project (JSSP) to combine the practical guide with JSSP's *Bench Book* into a single judicial publication that will provide judges with a tool to more efficiently adjudicate civil disputes, with specific, practical guidance to adjudicate property claims and disputes.

### UNIFYING JUDICIAL PRACTICE IN PROPERTY RIGHTS

PRP organized a workshop to facilitate discussion and help judges develop consensus on how to develop more unified and consistent practices. The workshop was attended by 56 judges and court staff. Subsequent to the workshop, PRP secured agreement with the Supreme Court to produce guidelines on property rights disputes to help lower court judges more effectively and uniformly adjudicate these cases and provide citizens with predictable outcomes. PRP has identified 139 Supreme Court decisions that address legal challenges courts face in adjudicating these claims and has helped the Supreme Court hire four legal assistants to support the judges to produce the guidelines.

PRP is collaborating closely with the Kosovo Academy of Justice (KAJ) to develop training modules on Gender Sensitivity and European Court of Human Rights (ECHR) Practice in Property Rights; and two training modules on Property Rights Issues in Kosovo Judicial Practice. PRP has identified and hired four local experts to provide STTA to develop these training modules in collaboration with their KAJ counterparts.



### **SUPPORTING USAID'S E4E PROGRAM TO PROMOTE GENDER EQUALITY**

PRP provided ATRC with technical assistance to conduct an overall evaluation of the current status of the E4E Program's grants management systems, procedures, and capabilities in order to help ATRC prepare to implement the next generation of USAID sub-awards. The evaluation was also aimed at assisting ATRC to prepare itself for conducting its own self-assessments going forward. PRP also supported the E4E sub-grantee, "Gruaja Hyjnore," with information leaflets and brochures for use in their lectures and dissemination activities. Gruaja Hyjnore held number of awareness-raising workshops and meetings with women at the village level and with high school students.

### **RAISING HIGH SCHOOL AND UNIVERSITY STUDENTS AWARENESS ABOUT PROPERTY RIGHTS**

At "Kadri Zeka" University in Gjilan/Gnjilane PRP supported and helped present to students of Law and Social Sciences lectures on the topic, "Human Rights: Guaranteeing Equal Property Rights in Kosovo". In Dragash/Dragaš municipality, PRP supported a panel presentation on women's property rights to high school students. In addition, at an event organized by the University for Business and Technology in Pristina PRP participated in a panel discussion addressing property rights in general, and equal rights to property in particular, and used the opportunity to inform the audience about USAID's work in the property rights field.

### **SUPPORTING 16 DAYS OF ACTIVISM AGAINST GENDER-BASED VIOLENCE**

PRP worked with the Advocacy Training and Resource Center (ATRC), USAID's implementing partner for its Engagement for Equity (E4E) grant-making program, and E4E sub-grantees to help them identify and carry out a range of activities to support and to commemorate the International Day for Eliminating Violence against Women within the 16 Days of Activism. PRP also directly participated in an event in Dragash/Dragaš municipality to focus on the incidence of domestic violence and its relation to women's vulnerability from owning no property of their own.

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

### **IMPROVING MUNICIPAL SERVICE DELIVERY**

PRP carried out a series of five regional training workshops on property registration service delivery for staff from Municipal Cadastral Offices (MCO's) and other municipal officials throughout Kosovo to focus attention and foster constructive discussion on specific challenges and problematic issues that MCO's face in providing services to their citizens. PRP then prepared distributed to all the participants a detailed analytical memorandum in the Albanian and Serbian languages that described the issues and challenges that were discussed and provided recommendations to address them.

PRP assisted the Viti/na, and Štrpce/Shtërpcë municipal assemblies to eliminate the requirement that prior to registering rights in property, a citizen must obtain a certificate from the municipality indicating that there is no municipal interest in the property being transacted and registered. PRP is also working to eliminate this antiquated requirement in other municipalities that have yet to update their registration procedures.

PRP also assisted these municipalities to reduce the average number of days it takes to conduct property transactions. The Municipal Cadastral Office (MCO) in each municipality exceeded or was at risk of exceeding the 30 day limit imposed by the law to complete the registration process. Times were reduced by 2 and 6 days respectively.

PRP produced brochures that provide citizens with guidance on registering property rights arising in four different scenarios (from inheritance; purchase and sale; court judgment; and gift). Thus far,

eleven municipalities have posted the brochures on their websites and more will be assisted to follow suit.

#### **PRP CONSTRUCTS 'SECOND-GENERATION' E-KIOSKS IN KOSOVO**

PRP has upgraded existing e-kiosks constructed with USAID assistance to function as “second generation” e-kiosks that issue property ownership certificates and property tax documents in addition to civil status documents. The first of these e-kiosks was constructed in Pozhoran village in the Viti/na municipality. PRP is in the process of upgrading six existing e-kiosks in four additional municipalities: Prishtinë/Priština (two e-kiosks), Pejë/Peć (two e-kiosks), Vushtrri/Vučitrn, and Graçanicë/Gračanica (one e-kiosk each).

#### **SAFEGUARDING MCO ARCHIVES IN VITI/NA MUNICIPALITY**

PRP completed its refurbishment of the MCO archive storage facility in Viti/na municipality to better safeguard and preserve from damage and loss land records and other cadastral documents. These improvements include fireproof wall panels and flooring, a dehumidifier, a temperature regulator, LED lighting and improvements to the filing system.

#### **INITIATIVE NEARLY COMPLETED TO ELIMINATE BACKLOG OF UNREGISTERED TRANSACTIONS IN ŠTRPCE/SHTËRPÇË MUNICIPALITY**

PRP continued to provide technical assistance through and expert consultant to support the Municipal Cadastral Office (MCO) to eliminate its large backlog of unregistered property transactions. To date around 4,400 files have been entered into the Kosovo Cadastre Land Information System (KCLIS), out of an estimated 5,500 total.

### **CHALLENGES AND OPPORTUNITIES FOR YEAR FOUR**

#### **CHALLENGES**

PRP anticipates the following political, financial, and technical challenges which will confront the project, stakeholders, and the GoK in Year Four of the Project:

Parliament has been very fractious and has been focusing a lot of its attention on the conduct and content of the dialog with Serbia. As a consequence, Parliament has been very slow in reviewing draft legislation. This is delaying the implementation of the NSPR.

A persisting challenge to developing and carrying out comprehensive reforms in Kosovo is the difficulty to achieve consistency and uniformity in policymaking and legislative drafting across ministries. The issues that PRP is addressing in the area of property rights implicate many different laws and governmental bodies. For a new law or policy to be effective, it is essential that all laws touching on the same issues be harmonized with the new law or policy in a timely way. This, however, is rarely done. Ministries develop their own legislative agendas independently and then are compelled to carry them out. PRP has been addressing this challenge by identifying all the legal acts related to issues to be addressed, along with the corresponding responsible institutions, and adopting inclusive mechanisms and modalities in reform initiatives to encourage consensus among the institutions and direct their energies to common goals. This will need to be continued after PRP closes, which heightens the need for an effective oversight body.

It is important for land records to be open and accessible – for general transparency, improved spatial planning and efficient and open land markets. Kosovo officials continue to reiterate their inability to make the land records of the Kosovo Cadastral Agency publicly available owing to the requirements of the Law on the Protection of Personal Data that is currently in force. The NSPR

calls for changes in all relevant laws to make clear and ensure that cadastral records are full accessible to the public. It remains to be seen, however, whether the political will can be marshalled to secure the adoption and implementation of this policy in law.

Institutionalizing effective public notification of property rights proceedings is essential for due process, to ensure that citizens are given ample opportunity to protect their property rights. The NSPR calls for the establishment of a web portal for publishing notices of property rights proceedings, and PRP is working with the Office of the *Official Gazette* to establish the portal in the *Official Gazette*. It will be equally important to establish within Kosovo institutions the practice of posting notifications on the portal. This will also require an effective campaign throughout the region to provide displaced persons with a legitimate opportunity to exercise their rights. These measures are essential; and yet they will be challenging for Kosovo institutions to carry out and support.

PRP's extensive research of the courts' management and adjudication of property cases reveals serious problems within the courts. At present there is very little management of property cases – and by extension – civil cases, and adjudication is attended by very protracted delays. There is also a lack of consistency within judicial practice in handling property disputes. While PRP has successfully piloted reforms that significantly improve court performance in this area, political and institutional will are required to institutionalize these practices in the courts.

Entrenched cultural and traditional attitudes, beliefs and behaviors about the proper role of women in society, and about the rights of women to inherit, own and use property are not easily overcome. While proposed changes to the law will be helpful, they will not ensure that women's rights are respected and enforced in practice.

Traditions and customs of dealing with land and legal relations in an informal manner – i.e., not going through formal inheritance proceedings; not documenting purchases and sales of lands; not registering one's rights in the Cadastre; not registering one's marriage – create obvious challenges for efforts to put Kosovo society on a modern footing and fully institute the rule of law. Similarly, Kosovo institutions have been reluctant to adopt the legal institute of constructive notice; yet without constructive notice it will prove very difficult to address the widespread instances of delayed inheritance.

## OPPORTUNITIES

While the challenges are daunting of enabling Kosovo citizens to exercise their property rights in a clear, easy and straightforward manner, Kosovo also presents some significant positive factors that create opportunities for progress. These include the following:

- The continued recognition by officials and citizens alike of the importance of addressing the issues identified in the NSPR and the support to support these reforms that was recently articulated by the new Government of Kosovo.
- The issues that PRP is addressing – challenges that citizens face in establishing and exercising their property rights – are easily understood by average people as well as officials and resonate with their own personal lives and concerns. This makes it possible to generate societal and institutional engagement with the issues to a greater degree than is often the case with legal reforms; and as concrete reforms are announced and explained to citizens, they may assert their rights more actively and demand that the new law be applied and their rights recognized.
- Kosovo has a very young population with a modern approach to social media and a desire to see Kosovo modernize and be fully integrated into Europe. This creates fertile conditions for PRP's public outreach campaigns on gender and other issues to generate support and resonance within

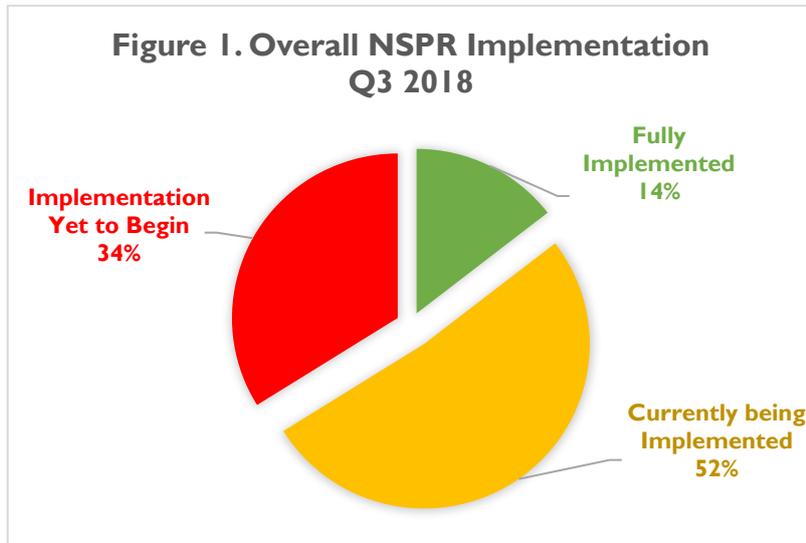
Kosovo society. These youthful segments of society appear to be receptive to modern values and attitudes about gender equality, and ready to challenge the traditional social attitudes and behaviors that currently impede social equity and inhibit the development of a better property rights regime in Kosovo.

# KEY ACTIVITIES CARRIED OUT IN YEAR FOUR

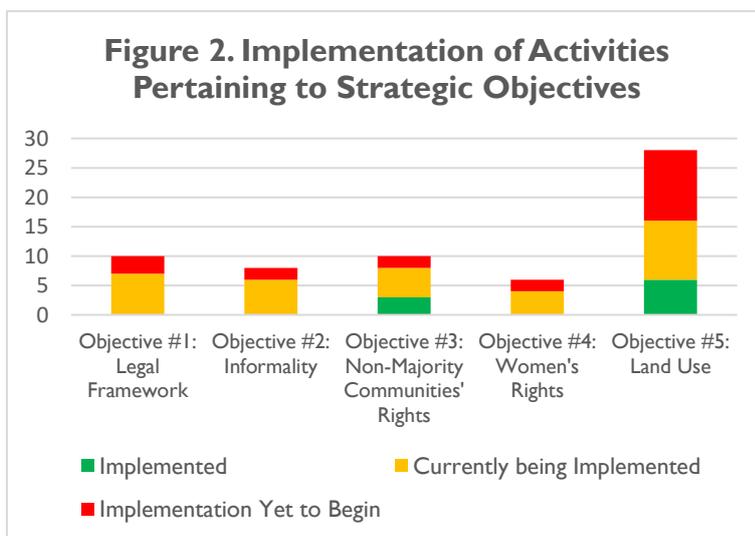
## OBJECTIVE I: BETTER COORDINATION AND POLICY PRIORITIES

### IMPLEMENTING NSPR REFORMS

PRP continued to support the MoJ and GoK institutions in developing implementing legislation for the NSPR. PRP collaborated with the MoJ the Ministry of Environment and Spatial Planning (MESP), the Ministry of Local Government Administration (MLGA), the KPCVA, the SPO/OPM and other stakeholders advance development of legislation foreseen in the NSPR. The three-year NSPR Action Plan comprises a diverse portfolio



of activities, legislation drafting, training and capacity development, and awareness raising. PRP has supported development of 89% of legislations described in the Action Plan, either as amendments to, or replacements of, existing laws. Out of the total 18 pieces of legislations to be developed, no action has been taken for only 2 pieces of legislation, amendments to the Law on Family and Law on Free Legal Aid. (Note that the Law on Family will ultimately be incorporated into the Civil Code.) Two pieces of legislations have already been adopted by the Assembly -- the Law on Treatment of Constructions without Permit and the Law on Immovable Property Tax. Five pieces of legislation have been submitted to the Assembly for adoption, and 9 additional pieces of legislations are currently being drafted.



To date, one and a half years into the implementation process, the Government has begun implementing 66% of all measures described in the Action Plan, with 14% fully implemented (see Figures 1 and 2).

Of particular significance is progress made to develop amendments to the KPCVA law and publication of property rights proceedings in the Official Gazette which will help the GoK to address large scale informality.

## **Institutionalizing Oversight of NSPR Implementation**

In January, 2018, the GoK, with PRP assistance, amended a previous decision on the Steering Committee to oversee the implementation of the NSPR. The amendments strengthen the authority of senior policymakers tasked to implement the NSPR and clarify role of the chairperson. The SPO/OPM serves as the Steering Committee's Secretariat.

PRP assisted the SPO/OPM to prepare an effective practice for institutions to report on the state of implementation of all NSPR activities, including non-legislative measures. PRP prepared a master table with all NSPR activities and specified the current state of implementation and next steps to be undertaken for each activity.

The underlying principle for introducing this reporting practice is to ensure high response rate from implementing institutions and to foster local ownership and responsibility for the NSPR implementation.

PRP has begun to assist the SPO/OPM to conduct a comprehensive analysis of the implementation of the NSPR during the past six months. The analysis report will be presented to the Steering Committee prior to December 2018 and PRP will assist it to prioritize actions for the next six months of implementation and identify activities to be included in the Action Plan beyond 2019.

To further institutionalize the reform process, and help keep momentum behind the reform process, PRP advocated for incorporating property rights policy measures in EU-required reform programs for Kosovo, which are implemented continuously regardless of which party is in power. PRP assisted the SPO/OPM to incorporate property rights measures in Kosovo's Economic Reform Programme (ERP), which the EU requires of countries applying for EU membership. The ERP consists of 20 "priorities of priorities." With PRP's active engagement, one of Kosovo's 20 national priorities includes addressing large scale informality in the immovable property sector. PRP also collaborated directly with the EU to finalize the measure on addressing large-scale informality, which is currently undergoing public consultations.

PRP also assisted the MoJ to identify property rights enforcement issues it will implement as part of its contribution to the annual work plan for implementing Kosovo's National Development Strategy (2016-2021). PRP successfully advocated to the OPM the utility of including NSPR recommendations to strengthen property rights in the National Development Strategy, which it did.

## **Supporting Initiatives to Address Informality**

A key objective of the NSPR is to develop a systematic approach to addressing large-scale informality in Kosovo. PRP also emphasized the importance of resolving informality in the land sector to help support economic development and helped persuade the government to include it in Kosovo's Economic Reform Program required under the EU accession process

PRP initiated a series of meetings with the OPM, calling for the need to draft a Concept Document for developing simplified procedures to formalize rights in property created through informal transactions (verbal contracts). After approval of the Concept Document, and in line with NSPR recommendations, PRP supported the KPCVA, in consultation with the OPM, to amend the KPCVA law to expand its mandate to implement simplified procedures to formalize rights in property. The draft legislation was approved by government and is pending adoption by the Parliament.

The KPCVA will also be mandated to verify cadastral documents returned to Kosovo from Serbia and provide sustainable remedies for property rights by persons displaced by the armed conflict during 1998-1999. PRP supported the agency to draft its Strategy and Action Plan that identifies and prioritizes KPCVA's activities for the next three years. The Action Plan describes 47 activities the KPCVA will need to implement to effectively achieve its mandate.

## DEVELOPING LEGISLATION TO IMPLEMENT THE NSPR

PRP met on a regular basis with counterparts in the MoJ to discuss developments and progress in developing legislation to implement the NSPR. MoJ counterparts included the MoJ Chief of Cabinet, advisors to the Minister of Justice, Director of Department for Policy Coordination and EU Integration; and Director of Legal Office. The purpose of these meetings was to coordinate and monitor the progress of forming working groups; developing draft legislation; holding public sessions; posting the drafts for public notice and comment, and other matters.

### Status of Legislation Developed

**“Inheritance Package” of Legislation.** This comprises the revisions to specific articles of the Law on Inheritance, Law on Non-Contested Procedure and the Law on Notary. The Parliamentary Commission for Legislation has completed its review of the draft amendments and submitted them for a second reading in the plenary session of the Parliament.

**Draft Law on Public Property.** The draft law was published for public consultation on the Public Consultation Platform, where all interested parties will have the opportunity to make comments. Deadline for submitted comments was October 5, 2018.

**Draft Law on Cadaster of Immoveable Property.** PRP has consistently advocated for a more transparent cadastre accessible to the public, consistent with recommendations contained in the NSPR. MESP is the ministry responsible to draft the legislation, however, members of the legislative Working Group that leads the drafting process is comprised of representatives from the Kosovo Cadastral Agency (KCA). The Working Group has refused to accept PRP's comments and has not followed protocol requiring it to document comments received from stakeholders and rationale for rejecting comments received. PRP expressed its concerns to the General Secretary of MESP who acknowledged PRP's concerns and expressed his commitment to convene a meeting with the Minister, the Minister's Cabinet, the Legal Office and the Working Group to bring the process in compliance with procedural requirements.

**Law on the Prevention of Money Laundering and Combatting Terrorist Financing.** The law requires that payments of €10,000 or more must be made by means of a bank transfer. This poses serious obstacles to parties seeking to formalize property transactions that took place prior to 2005 when the law went into effect. PRP produced an analysis and recommendations to amend the legislation to exempt transactions prior to 2005 and presented them to MESP.

**Draft Law on the KPCVA.** As described above, the draft law is pending adoption by the Parliament.

## Encouraging Public Outreach and Promoting Media Coverage of Property Rights Issues

Following its approval of the KPCVA Law, the Government issued a press statement that reads as follows:

*“The Draft Law on Amending and Supplementing the Law on the Kosovo Property Comparison and Verification Agency has been approved by the Government at today’s meeting. The draft law was drafted in order to address the findings of the Ombudsperson and fulfilment of the obligations deriving from the National Strategy on Property Rights for the purpose of addressing large-scale informality.”*

<http://kryeministri-ks.net/en/government-of-kosovo-approved-the-draft-law-on-salaries/>

**Draft Law on Construction Land.** PRP assisted in the compilation of comments received during the public consultation process and submitted them to the Working Group.

**Draft Law on Allocation for Use and Exchange of Municipal Immovable Property.** The GoK has approved the draft and sent it to the Parliament for adoption. In consultation with the Chairperson of the Parliamentary Commission, PRP prepared comments that it will send to the Parliamentary Commission reviewing the draft to ensure the draft is fully harmonized with NSPR recommendations.

**Draft Law on Amending the Law on the Sale of the Apartments in which there is a Tenure Right.** PRP assisted the Kosovo Privatization Agency (PAK) and MESP to clarify and harmonize their proposed amendments. PRP has supported MESP to finalize the Draft Law and it has been posted for public consultation.

**Draft Law on the Chamber of Architects and Chamber of Engineers in the Field of Construction.** PRP assisted MESP to incorporate comments received from the Office of Prime Minister. The draft law has been posted for public consultation and will soon be sent to the GoK for approval.

**Concept Document for the Law on the Transformation of the Property Rights of Immovable Socially Owned Property.** PRP assisted the MoJ to reorganize the Draft Concept Document to bring it into conformity with the new guidelines for concept documents that was presented to the Working Group. PRP then assisted the Working Group to produce a revised Concept Document. This is a priority reform under the NSPR and the MoJ will organize a workshop to present the Concept Document to a larger audience and elicit their comments.

**Concept Document for Contested Procedure.** Public consultation has been completed. PRP will assist the MoJ to finalize the Concept Document and submit it for government approval.

**Administrative Instruction (AI) on Implementation of KPCVA Law.** PRP assisted the KPCVA to develop the AI which has been approved by the GoK. The AI regulates payment of compensation to individuals who lost rights in a property as a result of discriminatory legislation enacted by the former regime and recognizes the rights of the person to whom the property was subsequently allocated and was then displaced by the conflict.

**Draft Administrative Instruction on Setting Procedures for Submission and Review of Applications for Terms of Constructions, Construction Permits and Demolition Permits for Category III Constructions.** PRP collaborated with the MESP Construction Division to develop the AI. It has been published for public consultation and will be submitted to the Minister for approval in the next quarter.

## CONDUCTING PUBLIC OUTREACH ON THE NATIONAL STRATEGY AND PROMOTING MEDIA COVERAGE

### Encouraging Media Coverage and Public Outreach on Property Rights Issues

**Participation in a Live-Streamed BIRN Workshop on the Draft Law on Inheritance.** PRP was among the panelists featured at the event hosted by the Balkan Investigative Reporting Network (BIRN), and used the opportunity to inform the audience about the provisions in the draft Law on Inheritance designed to facilitate the efficient resolution of instances of delayed inheritance (which the draft law defines as inheritance proceedings where the decedent passed away more than ten years prior to the commencement of the inheritance proceedings). Addressing delayed inheritance is an NSPR



USAID/Kosovo Deputy Mission Director, Ms. Lisa Magno participates in a civil society-led workshop to encourage the Government passage of the PRP-supported “Inheritance Package” of legislation.

BIRN

recommendation because it contributes to informality and excessive fragmentation of land parcels. PRP has concerns that the importance of the law’s provisions is still poorly understood by Parliamentary Deputies and stakeholders, despite the many discussions that have occurred.



Mr. Gent Salihu, PRP’s Senior Rule of Law and Governance Expert, gave a joint presentation with PRP Objective I Lead, Xhevat Azemi, at the One-Year Anniversary of the National Strategy on Property Rights event, detailing the way forward for the Kosovo Government to successfully implement the NSPR.

D. CUIZON FOR USAID PRP

**Event Held to Mark the One-Year Anniversary of the NSPR.** This event marked the implementation progress achieved and outlined the steps ahead. In addition to a wide array of property sector stakeholders, the event was attended by members of the high-level Steering Committee responsible for overseeing NSPR implementation. USAID Mission Director Hope and Justice Minister Tahiri made remarks. Participants also included the Minister of Environment and Spatial Planning, Minister of Local Government Administration, Chairman of KJC and President of the Supreme Court. PRP used this event as an opportunity to describe the need for an expedited procedure to enable citizens to formalize informal property rights easily; and for the creation of an Information

Portal to provide notification of legal proceedings in progress that involve property rights.

**Animated Video on NSPR.** PRP has produced a video animation on the NSPR. The five-and-a-half minute video shows what has been done to implement the NSPR in the first year following its adoption, and what remains to be done. The video was first shown at the one-year anniversary event and is also posted on PRP's campaign Facebook page, *Për të Mirën Tonë*.

**PRP Holds One-day Workshop on the NSPR for Law Students.** These students were from an inter-university Master's Degree program "Local Governance and Democratic Society," which is a joint program of three Universities including University "Kadri Zeka" in Gjilan, University "Ukshin Hoti" in Prizren and University "Haxhi Zeka" in Pejë/Peć. PRP organized this workshop at the request of the University Vice-Rector. Presentations were made on all 5 NSPR Objectives. The workshop was well attended (approximately 60 students) and featured lively discussion. The Minister of Justice made a special trip to the workshop to make remarks and field questions from the audience. The Rector of Kadri Zeka University, Dr. Bajram Kosumi, also made remarks.

**PRP Presents Two Papers at the World Bank Conference in Washington DC.** PRP staff members, Merita Limani, Don Cuizon and Driton Zeqiri, have co-authored the paper, "The Effectiveness of an SBCC in Changing Social Attitudes on Equal Rights to Property for Women"; Ms. Limani presented this paper at the conference. In addition, Gent Salihu has written the paper, "Redesigning Procedures to Encourage Legal Recognition of Informal Relations to Property; Challenges Posed by Informal Inheritance in Kosovo." Mr. Salihu co-presented this paper at the conference, together the General Secretary of the Ministry of Justice, Mr. Qemajl Marmullakaj.



PRP Objective 3 Lead, Merita Limani, presented a paper co-authored with PRP's Deputy COP and PRP's Monitoring and Evaluation Specialist on PRP's social behavior change communications work at the World Bank Conference on Land and Poverty in Washington, DC.

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## COOPERATION AND COORDINATION WITH OTHER STAKEHOLDERS

**Close Cooperation with Civil Code Project Phase 2 (CCP2).** PRP serves on the CCP2 Steering Committee where it has regularly discussed harmonization of the Civil Code chapters defining rights to property with legislation foreseen in the NSPR. PRP and the CCP2 jointly prepared a memo for the MoJ, in consultation with USAID, that outlines their approach to coordinating legislative development and support they will provide to the ministry. The two projects also provided a joint recommendation that the draft Law on Ownership and Other Real Rights be discontinued as a separate initiative and its provisions be incorporated into the Civil Code and other special laws.

Additionally, PRP has participated in several CCP2 events and joint workshops with the MoJ. CCP2 publicly acknowledged the close cooperation between the projects, including its joint workshops with the MoJ. These included the "Family Law and Inheritance Law through a Modern Civil Code," where PRP discussed recommendations in the NSPR and included in the "Inheritance Package" to protect the rights of women to inherit family property. PRP also participated in the workshop "Will a Modern Civil Code Bring New Challenges for Legal Professionals?" and the workshop "The Civil Code and Its Impact on the Economy: Contracts and Property Law" where the organizers publicly cited the close cooperation between PRP and CCP2.

**PRP Presentation of the Draft Law on the KPCVA to US Embassy and USAID Officials.** PRP described the salient features of the proposed amendments to the law that will authorize the KPCVA to address requests for formalizing informal rights acquired through informal transactions that took place prior to 1999.

**PRP Met UNHCR to Discuss KPCVA Draft Law.** Following the end of the consultation phase for the KPCVA Law, UNHCR contacted PRP to discuss its comments on the KPCVA draft law. UNHCR's comments exclusively focused on KPCVA's property administration scheme and evictions. UNHCR had no comments or suggestions on amendments concerning informality.

**Potential Collaboration with Kosovo's Office of the Ombudsperson.** PRP met with the Director of Department for Legal Issues of the Office of the Ombudsperson to discuss potential collaboration to:

1. Support a fully open and transparent cadastre. As noted above, PRP's recommendations to increase transparency of Kosovo's cadastral records have not been supported.
2. Urge municipalities to eliminate the transaction tax. This tax has no legal basis and creates a disincentive to registering property. While many municipalities have abolished this tax (in part owing to PRP's advocacy), many still impose it, including Pristina. Following the meeting with PRP, the Ombudspersons Office sent a letter to all municipal administrations urging them to abolish the transaction tax.
3. Urge municipalities to cease conditioning the issuance of property tax certificates on the payment of property tax. This widespread practice is contrary to current law.
4. Amend the Law on Anti-Money Laundering to exempt transactions occurring before 2005 from the requirement that they be effected by bank transfer. This requirement makes it very difficult for citizens to formalize informal transactions that have been concluded in the past. In effect the citizens are forced to "re-enact" the transaction with the original buyer and seller and a repeated exchange of payment. It is often impossible to meet this requirement in practice.

**PRP Provides Comments on Concept Note for Justice Sector Review aimed at Increasing Citizen's Access to Legal Information.** PRP attended the first session of the working group that is focusing on access to justice. PRP has proposed that the Justice Sector Review include the definition and adoption of measures to ensure that (1) citizens have easy access to all relevant legal information; (2) effective notification is provided with respect to all legal proceedings that are planned or in progress; and (3) that all relevant forms are available in all official languages and that effective interpretation is available at all legal proceedings.

**PRP Proposes Reform of Civil Service Categories for Courts.** PRP has also proposed having the Justice Sector Review advance recommendations to enable the judicial system to have appropriate job classifications under the Law on Civil Service that meet the courts' needs.

## PRODUCING LEGAL INFORMATION ON PROPERTY RIGHTS

### Making European Valuation Standards Available in Albanian

PRP responded to a request from the Kosovo Appraisers Association (for property valuation) to translate European valuation standards into the Albanian language. The Board of the Association, which includes representatives from the Ministry of Finance and MESP, endorsed this request and pledged to support the implementation of the standards in Kosovo. PRP also secured formal permission from the European Valuation Association to publish the valuation standards in Albanian.



Published Albanian Translation of the Valuation Standards.

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Introducing European valuation standards in Kosovo is consistent with the NSPR, which cites problems with current valuation practice in Kosovo.

PRP published the Albanian translation of the valuation standards in an edition of 1,200 hardcopies and has begun to distribute them to stakeholder. PRP will also supported the distribution of the standards on USB's having them posted in electronic format.

## OBJECTIVE 2: IMPROVED COURT PROCESSES RELATED TO PROPERTY CLAIMS

### ACHIEVING RESULTS FROM PILOTING CASEFLOW MANAGEMENT PRACTICES IN THE COURTS OF MERIT

Since mid-December 2016, PRP's assistance to implement more efficient caseflow management (CFM) practices in the selected CoM have assisted judges to issue a total of 10,741 decisions. Of these, 2,122 were to dispose the case, and 8,619 advanced the case more quickly towards disposition. These decisions have helped to remove bottle necks in case processing that have enabled the courts to address backlogged cases (cases pending on court dockets for more than two years) and help prevent backlog from occurring in the future.

PRP's CFM assistance has also helped to reduce delays in case adjudication. Case adjudication times have dropped from 1,220 days to 872 days. These times include times that previously backlogged cases remained untreated on the courts' dockets: 141 cases ranged in age from 2,000 to 5,000 days; 418 cases ranged in age from 730 to 2000 days; and 481 cases ranged in age from 14 to 730 days. As new cases are filed and subject to improved CFM practices from the beginning, it is expected case adjudication times will be reduced further.

PRP formally presented these results to the KJC, CoM Presidents and Heads of Civil Division and representatives of USAID. The KJC expressed appreciation for these results and expressed support for institutionalizing the improved CFM practices throughout all courts in Kosovo. For this to be possible, however, the courts will need to hire legal associates. Some courts have initiated this process, while others have not yet done so.

Results of PRP's assistance to each CoM to reduce the time it takes to dispose a case along each stage of the litigation process is illustrated in the following tables.

**Table 1. Summary Caseload Statistics from all CoMs Related to Non-Property Cases**

<b>Non-Property Civil Cases</b>					
Pre-intervention (1,120 pending non-property cases)		With PRP Intervention (3,020 pending non-property cases) December 2016- October 2017		With PRP Intervention (3,362 pending non-property cases) October 2017 – October 2018	
Average age	1171	Average age	690	Average age	645
Number of days at screening stage	944	Number of days at screening stage	361	Number of days at screening stage	204
Number of days at preparatory hearing stage	1556	Number of days at preparatory hearing stage	534	Number of days at preparatory hearing stage	490
Number of days at main hearing stage	1244	Number of days at main hearing stage	825	Number of days at main hearing stage	530
Number of cases ready for disposition	93	Number of cases ready for disposition	650	Number of cases ready for disposition	2,454
		Number of days to disposition (Average)	619	Number of days to disposition (Average)	517

**Table 2. Summary Caseload Statistics from all CoMs Related to Property Cases**

<b>Property Civil Cases</b>					
Pre-intervention (851 Pending property cases)		With PRP Intervention (2,470 Pending property cases) December 2016- October 2017		With PRP Intervention (2,436 Pending property cases) October 2017 – October 2018	
Average age	1220	Average age	844	Average age	872
Number of days at screening stage	1058	Number of days at screening stage	361	Number of days at screening stage	297
Number of days at preparatory hearing stage	1790	Number of days at preparatory hearing stage	542	Number of days at preparatory hearing stage	678
Number of days at main hearing stage	1453	Number of days at main hearing stage	908	Number of days at main hearing stage	862
Number of cases ready for disposition	28	Number of cases ready for disposition	236	Number of cases ready for disposition	1 040
		Number of days to disposition (Average)	853	Number of days to disposition (Average)	998

**Table 3. Ferizaj/Urosevac: Caseload Statistics with PRP intervention**

<b>Ferizaj/Urosevac Basic Court : Non-Property Cases and Property Cases</b>			
NON-PROPERTY CASES		PROPERTY CASES	
With PRP Intervention as of December 2016- October 2018 (1,034 pending non-property cases)		With PRP Intervention as of December 2016- October 2018 (774 pending property cases)	
Average age of pending caseload	541	Average age of pending caseload	859
Number of days at screening stage	178	Number of days at screening stage	322
Number of days at preparatory hearing stage	540	Number of days at preparatory hearing stage	790
Number of days at main hearing stage	529	Number of days at main hearing stage	1,146
Number of cases ready for disposition	993	Number of cases ready for disposition	395
Number of days to disposition (Average)	546	Number of days to disposition (Average)	1,381

**Table 4. Gjilan/Gnjilane Basic Court: Caseload statistics with PRP intervention**

<b>Gjilan/Gnjilane Basic Court : NON-PROPERTY CASES and PROPERTY CASES</b>			
NON-PROPERTY CASES		PROPERTY CASES	
With PRP Intervention as of December 2016- October 2018 (1,366 pending non-property cases)		With PRP Intervention as of December 2016- October 2018 (1, 036 pending property cases)	
Average age of pending caseload	783	Average age of pending caseload	1,071
Number of days at screening stage	237	Number of days at screening stage	329
Number of days at preparatory hearing stage	549	Number of days at preparatory hearing stage	846
Number of days at main hearing stage	738	Number of days at main hearing stage	960
Number of cases ready for disposition	833	Number of cases ready for disposition	336
Number of days to disposition (Average)	634	Number of days to disposition (Average)	978

**Table 5. Peje/Pec Basic Court: Caseload Statistics with PRP Intervention as to July 2018**

Peje/Pec Basic Court : NON-PROPERTY CASES and PROPERTY CASES			
NON-PROPERTY CASES		PROPERTY CASES	
With PRP Intervention as of December 2016- July 2018 (962 pending non-property cases)		With PRP Intervention as of December 2016- July 2018 (626 pending property cases)	
Average age of pending caseload	611	Average age of pending caseload	686
Number of days at screening stage	199	Number of days at screening stage	242
Number of days at preparatory hearing stage	381	Number of days at preparatory hearing stage	399
Number of days at main hearing stage	322	Number of days at main hearing stage	482
Number of cases ready for disposition	628	Number of cases ready for disposition	309
Number of days to disposition (Average)	371	Number of days to disposition (Average)	635

### **Institutionalizing CFM Reforms**

PRP hired and trained Legal Associates (LAs) to assist judges in the CoM to implement CFM practices recommended by the project. In response to the efficiencies achieved with PRP assistance and the KJC's support for institutionalizing CFM reforms, the CoMs are now instituting the roles played by the LAs as a permanent court staffing position and have begun to hire LAs as permanent staff with state funding. The Pejë/Peć Basic Court has permanently hired PRP's three LAs, the recruitment process is on-going in the Ferizaj/Uroševac Basic Court and will begin in the near future in the Gjilan/Gnjilane Basic Court.

PRP documented its CFM practices in its *Practical Guide on the Adjudication of Property Rights Cases in Kosovo*. The *Practical Guide* contains a full description of each CFM practice in a quick-reference format with step-by-step instructions for their implementation with specific instructions related to property cases. PRP is working closely with the USAID funded Judicial Strengthening and Support Project (JSSP) to combine the practical guide with JSSP's *Bench Book* into a single judicial publication that will provide judges with a tool to more efficiently adjudicate civil disputes, with specific, practical guidance to adjudicate property claims and disputes. This single publication will help strengthen CFM practices already instituted in the CoM and allow them to be replicated in additional courts. It is expected that the publication will be completed and published in January 2019.

### **SUPPORTING UNIFIED JUDICIAL PRACTICE IN PROPERTY RIGHTS DISPUTES**

PRP organized a workshop to facilitate discussion and help judges develop consensus on how to develop more unified and consistent practices. The workshop was attended by 56 judges and court staff. Subsequent to the workshop, PRP secured agreement with the Supreme Court to produce guidelines on property rights disputes to help lower court judges more effectively and uniformly adjudicate these cases and provide citizens with predictable outcomes. PRP has identified 139 Supreme Court decisions that address legal challenges courts face in adjudicating these claims and has helped the Supreme Court hire four legal assistants to support the judges to produce the guidelines and summaries of cases that illustrate the application of the guidelines. PRP will support the publication of the guidelines in hard copy and digital formats and will distribute them to judges in

all courts. Once the guidelines have been published, PRP will support workshops led by the Supreme Court for judges from the lower courts to acquaint them with the guidelines and foster their understanding and acceptance of the guidelines.

### **Producing Summaries in Albanian and Serbian of Decisions of the European Court of Human Rights Concerning Property Rights**

By operation of the Kosovo Constitution, the European Convention on Human Rights is directly applicable in Kosovo, as are decisions of the European Court of Human Rights (ECHR). ECHR decisions, however, are not accessible to judges, lawyers and policy makers. PRP produced a volume of 144 ECHR case decision summaries on key property rights cases in the Serbian and Albanian languages.

The case summaries are organized around the following categories:

- Expropriation; Nationalization; Compensation
- Restoration of Ownership Rights; Compensation
- Regulation of Property; Interference with Quiet Enjoyment; State Action
- Pension Rights; Employment Benefits; War Reparations
- Contractual Relations; Rent
- Discrimination; Inheritance; Marital Property; Family Matters
- Respect for Property; Family Life
- Currency and Deposits
- Failure to Enforce Judgments; Protracted Procedures; Access to Justice; Judicial Process
- Joint Stock Companies; Reorganization; Employee Rights

#### **PRP Products to Assist Judges**

- A Practical Guide for Improving Caseflow Management of Property Rights Cases and Other Civil Cases
- Collection of ECHR Case Summaries on Property Rights Issues

PRP published the summaries at an event held at the National Library. The event was well attended by approximately 150 judges, lawyers and academics. USAID Acting Deputy Mission Director and the President of the Supreme Court spoke at the event.

The Kosovo Supreme Court and Kosovo Judicial Academy have posted digital versions of the ECHR Case Summaries on their web sites:

- <http://jus.igjk.rks-gov.net/774/>
- <http://www.gjyqesori-rks.org/sq/courts/report/list?id=1&type=1>

PRP distributed digital versions of the case summaries in branded USB flash drives, as well hard copies. Over 100 hard copies and flash drives were distributed. PRP will further distribute hard copies to the courts, the Kosovo Bar Association, Ministries and Agencies, municipal administrations and libraries.



Well-attended event at the National Library.

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## Supporting Judicial Training

PRP is collaborating closely with the Kosovo Academy of Justice (KAJ) to develop four training modules. PRP has identified and hired four local experts to provide STTA to develop these training modules in collaboration with their KAJ counterparts. Trainings will be delivered to judges through the KAJ and PRP is exploring opportunities with the Kosovo Bar Association to deliver the trainings to lawyers. Training modules include:

**Gender Sensitivity.** This module will explore the underlying cultural attitudes and values concerning men and women and prompt participants to confront their own biases and personal views on the subject. While the KAJ has a training module on Kosovo law and gender equality, developed with the assistance of GiZ, the KAJ does not have a module focused on the cultural attitudes and behavior that impeded women from exercising their property rights freely and as men do. .

### PRP commenced development of training modules on:

- Gender Sensitivity
- ECHR Practice in Property Rights
- Property Rights Issues in Kosovo Judicial Practice

**Application of the ECHR in Kosovo's Courts.** The training will present and analyze the Court's key rulings and positions with relevance to Kosovo, with guidance on how Kosovo courts can use the ECHR opinions. The training will draw from PRP's compendium of summaries of 144 decisions of the ECHR related to property rights.

**Problematic Issues in Current Judicial Practice (two complementary modules.)** The modules will help to reinforce consistent court practices in regards the following types of property cases:

- Claims based on the legal doctrine of Positive Prescription
- Annuling a sales contract and applying the doctrine of Positive Prescription
- Affirming property rights created through inheritance
- Joint Property (family property, marital property)
- Affirming property rights based on co-ownership
- Obstruction of possession
- Easements (servitudes)
- Illegal occupation

PRP expects the training modules to be completed by December 2018.

## DEVELOPING EXPEDITED PROCEDURES TO FORMALIZE RIGHTS IN PROPERTY

PRP research indicates that nearly 70% of the /property rights cases lodged in the CoM's seek legal recognition of property rights that do not appear to be in dispute. Such claims could be more efficiently resolved through streamlined administrative procedures rather than contested proceedings in the courts, thereby freeing up judges' time to focus on litigation of disputed rights to property.

One of the NSPR's recommendations to address large scale informality included establishing an administrative body that would apply expedited procedures to adjudicate non-contested claims from citizens seeking legal recognition of informal property rights created through verbal contract or other transactions not recognized by discriminatory legislation enacted under the former regime. The NSPR also suggested that the KPCVA could be the appropriate administrative body to perform this function.

The Kosovo Ombudsperson Institution called for amending the law establishing the KPCVA to extend the duration of its mandate to administer properties of persons displaced by the armed conflict in 1998-1999. PRP leveraged this opportunity to collaborate closely with the OPM and the KPCVA to introduce additional amendments to the KPCVA law that would expand its mandate to provide it jurisdiction to adjudicate and formalize rights in property.

PRP provided KPCVA technical assistance to develop the amendments in consultation with the OPM. PRP facilitated broad consultation on the draft amendments in which GoK ministries and agencies, the OSCE, the United Nations High Commissioner for Refugees (UNHCR), the European Union Special Representative's (EUSR) Office, the World Bank, and civil society reviewed were provided the opportunity to review and provide comments. PRP further assisted the KPCVA to incorporate comments and feedback and produce an explanatory memorandum vetted by the legislative Working Group. The GoK approved the draft legislation submitted by the OPM and sent it to Parliament where it is pending adoption.

### **LAUNCHING INITIATIVE TO ESTABLISH PROPERTY RIGHTS PORTAL (PRIP)**

Included in the NSPR's recommendations to administratively adjudicate and recognize non-contested, informal rights to property at scale is establishing a single GoK property rights information portal (PRIP) to strengthen public notification procedures. To meet applicable standards for due process, all parties with potential interest in the subject property, including citizens in Kosovo, living in the diaspora and those displaced by the conflict, must have knowledge and information about the proceedings to assert and protect their rights. Robust notification procedures also assist in the determination that the rights claimed are not subject to dispute and enable more efficient claims processing.

PRP has identified the GoK *Official Gazette*, established with USAID support, as the appropriate platform to host the PRIP. PRP produced and provided the Director of the Office of the *Official Gazette* a concept document and roadmap for constructing the PRIP. The Director responded favorably and requested that a Memorandum of Understanding (MoU) be developed to guide the undertaking. PRP provided the Director with an MoU developed in consultation with USAID that is currently under review.

Once the MoU is agreed, PRP will contract with a local IT company to construct the PRIP. PRP has initially assessed the technical requirements for the PRIP in consultation with the local company that has constructed three upgrades of the *Official Gazette* digital platform with USAID support. Preliminary findings indicate that only minor modifications to the existing IT architecture would be required to host the PRIP on the *Official Gazette* platform.

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

### SUPPORTING PUBLIC OUTREACH ON EQUAL PROPERTY RIGHTS FOR WOMEN

#### PRP’s Work through National Media

PRP used the run-up to the nationwide municipal elections as an opportunity gain national exposure for its latest Public Service Announcements (PSAs) on women’s property rights. The Balkan Investigative Reporting Network (BIRN), a USAID Engagement for Equity (E4E) sub-grantee, hosted a series of debates on the TV program “Jeta ne Komune” during the period September 21 through October 20, 2017, and again during November 13 through 17, 2017 for the run-offs. The PSA’s were shown during the debates which were aired on national prime-time television and also received over 1.2 million views on social media and YouTube in Kosovo and abroad.

During the debates, candidates were asked: 1. whether he/she has property registered jointly with their spouse; and, 2. what he/she will do as mayor to support women’s equal property rights.

Subsequent to the debates BIRN published an article describing the impact of including issues of property rights, particularly women’s rights to access and use property, in nationally televised debates: (<http://kallxo.com/gjnk/42-kandidate-nuk-e-kane-regjistruar-pronen-bashke-grate/>).

**Over  
1,200,000**

Number of Facebook and YouTube views of the livestream of municipal electoral debates where women’s property rights questions were prominently featured.\*

\* This does not include the number of people who watched the debates on television. (Note that television ratings figures are not readily available in Kosovo.)



BIRN



BIRN

#### Campaign Banner Featured on Prominent Social Media

PRP has arranged to have the Head Banner on Kallxo.com feature motifs from its media campaign on women’s property rights. The Head Banner has complemented PRP’s billboard campaign and is linked to PRP’s PSA’s on YouTube. <https://kallxo.com/>.



## PSAs and Billboard Campaigns

PRP aired its PSAs again extensively during the summer and early fall and arranged for complementarity billboards campaigns throughout the country. PRP also completed preparations for its latest PSA on women's property rights, which will start airing in October 2018.

## Supporting RTK Journalist with Information on Women's Property Rights

USAID directed to PRP a request from RTK journalist Flora Maxharraj for information on women's property rights. The journalist is designing a program on that topic and was seeking statistical information; information on the role of Kosovo institutions; information on PRP's media campaign, "For Our Common Good" and its impact on Kosovo society; and help in identifying a few women who are role models in this area that she can interview.

## SUPPORTING USAID'S E4E ACTIVITIES

### Capacity-Building Assistance

PRP supported USAID's grants making partner, ATRC, a local CSO to self-assess its organizational capacity to implement the next round of USAID sub-grants. PRP contracted an organizational capacity building expert consultant to assist ATRC to evaluate its current systems and tools and their effectiveness in providing an assessment of individualized capacity-building, making findings and developing recommendations for improvements with the aim of assisting ATRC to prepare itself for conducting its own self-assessments going forward.

PRP assisted ATRC to implement its sixth call for grant applications. PRP participated in grant information sessions held in Gjilan/Gnjilane, Gračanica/ Gracanice, Shtërpçë/Šterpce, Ferizaj/Uroševac, Pejë/Peć, Prizren, North and South Mitrovica/Mitrovicë, and Prishtinë/Priština municipalities. PRP informed the attending CSOs about PRP's ongoing work and how civil society can collaborate with PRP to help promote gender equality in property rights.

### Select E4E Activities

Sub-grantee BIRN will continue its work from previous E4E grants to produce objective reporting on women's inheritance rights through television, online and print media; monitor joint registration of marital property; and positively influence policies related to women's inheritance rights by initiating public discussions and providing concrete policy recommendations. BIRN has conducted a survey among Kosovo judges and prosecutes on whether their marital property is registered in both spouses' names. BIRN published an article showing the results of the survey (<http://kallxo.com/gjnk/burrat-e-ligjit-ende-nuk-e-ndajne-pasurine-grate-e-tyre/>). A large number of the judges did not want to answer these questions, including none of the judges of the Court of Appeals. Of those who did answer, only three judges reported that their property is registered to

both spouses. Of all prosecutors in Kosovo, only three of them answered the question and none reported jointly registered property.

BIRN has produced story on the draft Law on Inheritance on their web page at Kallxo.com (<https://kallxo.com/projektligji-qe-prek-te-drejtat-e-grave-ne-prone-kalon-pengesen-e-fundit-ne-komision/>).

BIRN has produced numerous other articles on property rights issues:

- <https://kallxo.com/beteja-e-arejta-gashit-per-ndarjen-e-pasurise-me-ish-bashkeshortin-serish-nisnga-fillimi/>
- <https://kallxo.com/paraburgim-te-dyshuarit-per-kanosje-te-nje-gruaje-per-shkak-te-prones/>
- <https://kallxo.com/bie-numri-pronave-te-regjistruara-ne-emer-te-dy-bashkeshorteve/>
- <https://kallxo.com/usaid-prezanton-vendimet-e-gykates-evropiane-per-te-drejtat-e-njeriut/>
- <https://kallxo.com/perkthehen-ne-shqip-e-serbisht-144-raste-te-vendimeve-te-gykates-evropiane/>
- <https://kallxo.com/shtate-kusherinj-perfshihen-ne-rrahje-per-ceshtje-pronesore/>
- <https://kallxo.com/paraburgim-vellezerve-nga-mamusha-qe-u-perleshen-per-probleme-pronesore/>
- <https://kallxo.com/rrahen-per-prone-ne-peje/>
- <https://kallxo.com/ministri-i-drejtise-paralajmeron-ligjin-per-pronat-publike/>
- <https://kallxo.com/gjnk/projektligji-per-noterine-dhe-te-drejtat-e-grave-ne-prone/>
- <https://kallxo.com/paraburgim-te-dyshuarit-per-kanosje-te-nje-gruaje-per-shkak-te-prones/>
- <https://kallxo.com/prishtine-gruaja-kercenohet-ne-pike-te-dites-per-pronen/>
- <https://kallxo.com/projektligji-qe-prek-te-drejtat-e-grave-ne-prone-kalon-pengesen-e-fundit-ne-komision/>
- <https://kallxo.com/hipotekat-ne-kosove-nuk-i-blen-askush/>
- <https://kallxo.com/llapushnik-mosmarrevshje-per-pronen-arrestohet-nje-person-per-kanosje/>

PRP has supported the E4E sub-grantee, “Gruaja Hyjnore,” with information leaflets and brochures for use in their lectures and dissemination activities. Gruaja Hyjnore held number of awareness-raising workshops and meetings with women in the Gjilani/Gnjilane area, including in villages and with high school students.

### **PRP Support for Meeting of the USAID Deputy Assistant Administrator (DAA), Ms. Gretchen Birkle, with CSO Representatives**

The representatives from CSO’s shared their experiences and efforts to support equal women’s equal property rights in Kosovo. One participant shared her travail from being deprived of her right to inherit and from a 13-year-long court battle to regain that right. The CSO’s described the work that is being done in this field using various means (media, court monitoring, economic incentives, etc.). PRP’s outreach products were exhibited and arranged on stage to create a pleasing space for the meeting and its work to promote gender equality discussed. PRP’s work was also discussed. The participants came away with positive feeling about this encounter.



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## SUPPORTING PUBLIC OUTREACH IN MUNICIPALITIES

### Support Municipal Gender Officers (MGOs)

PRP worked extensively with MGOs to foster their active engagement on women's property rights issues. PRP is working with MGOs from Suharekë/Suva Reka, Mitrovicë/Mitrovica, Lipjan/Ljipjane, Gjakova/Đjakovica, Dragash/Dragaš, Viti/Vitina and Shtërpçë/Šterpce to develop a joint plan of activities in support of women's property rights.

**Workshop with Local Assembly Women's Caucus in Suharekë/Suva Reka Municipality.** PRP and the MGO organized a workshop with the local assembly women's caucus and municipal staff. The aim of the workshop was to sensitize the women's caucus on the issues surrounding equal property rights in Kosovo. The workshop was divided into three sections: (i) a presentation from the MGO on the local policies regarding gender equality, including MGO's plans for activities in support to women's property rights; (ii) a presentation by PRP on issues surrounding women's equal property rights in Kosovo and (iii) discussion and development of recommendations for next steps. The workshop concluded with a list of recommendations from the participants on how local assembly members and municipal staff can support women's property rights in their municipality. It is clear that much more work is required to achieve equality for women. Concealment of female heirs and their exclusion from inheritance proceedings continues to prevent women from exercising their legal rights to inherit family property. One of the participants at the workshop noted that he himself had been involved in such an instance when he was asked to witness an Act of Death that was to be used conceal a female heir. Other participants expressed direct and indirect knowledge of similar attempts to conceal or exclude female heirs. The workshop also helped the MGO to identify support groups that can be engaged in upcoming outreach and advocacy activities with women and youngsters on women's equal property rights.

PRP also met with the MGO and two notaries in the municipality to explore opportunities to increase the number of joint registrations of marital property within the municipality. The MGO reports a rather small number of joint registrations to date and is seeking support to increase the number by requesting notaries to encourage married couples to jointly register their marital property. The MGO has also developed a plan of activities aimed at raising youth awareness on equal rights to property inheritance. In addition, PRP will collaborate with the MGO on public outreach activities to raise awareness about gender equality and property rights.

**Training for Newly Established Women's Caucus and Committee on Gender Equality in Mitrovica.** The MGO in Mitrovica has a mandate to support the establishment of the Women's Caucus and the Committee on Gender Equality and to build their capacity for dealing with gender related issues. Having heard of the work PRP has been doing on equal property rights for the last four years, she, like many other MGOs, reached out to PRP for collaboration.

The training consisted of two parts: (i) a session on Kosovo's policies on gender equality and their implications at the municipal level; and (ii) a presentation on PRP's analysis of challenges women face to exercise their property rights freely and equally in Kosovo. Participants provided



Training participants from the newly established Women's Caucus and Committee on Gender Equality in Mitrovica

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their suggestions on how the MGO and PRP can support women's property rights at the local level. The MGO will develop conclusions and recommendations derived from this training for inclusion into her Work Plan for Mitrovica South. It is hoped that this will lead to more significant awareness activities about property rights in this area of Kosovo.

### **Facilitation of US Ambassador's Fact-Finding Trip to Istog/Istok Municipality**

PRP organized and facilitated a session of meetings for the US Ambassador during an official visit to the municipality. The meeting addressed equal property rights and the local state of affairs. Participants included representatives of civil society and a municipal official. The ambassador asked questions and made remarks on the importance of women owning property and stressed the US government's commitment to support this cause.

### **SUPPORTING ADDITIONAL OUTREACH ON GENDER EQUALITY**

#### **PRP Supports Theater Performance on Women's Equal Rights, *Jam Burr' (I Am a Man)*, to Support 16 Days of Activism**

The premier of the performance was held at the National Theater in Pristina on November 27, 2017. Approximately 450 persons attended. The performance was followed by a discussion session with the audience. PRP's information products were made available in the theater entrance hall, where a reception was held afterwards. The entrance hall also featured displays of PRP's billboards. The choreographer included property rights as a means of illustrating how Balkan attitudes about masculinity leave women vulnerable.



Stage performance of *Jam Burr' (I am a Man)* at the National Theater of Kosovo, and post-show discussion on perceived Balkan gender norms depicted in the performance. MAJLINDA HOXHA FOR USAID PRP AND QENDRA MULTIMEDIA

The artists are working under the umbrella of Qendra Multimedia, on a project sponsored by the Goethe Institute. They were referred to PRP by the Kosovo Center for Gender Studies.

## Commemorating April 9 (Kosovo's Constitution Day) with Lecture at University of Prizren



Special constitutional lecture about equality and property.

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PRP and Dr. Kadri Kryeziu, a law professor from the University of Prizren, organized a special constitutional lecture about equality and property at Ukshin Hoti University in Prizren. Dr. Kryeziu focused on Kosovo Constitution Articles 3 and 24 (Equality before the Law) and Article 46 (Protection of Property). PRP's Gender and Property Rights Specialist, Merita Limani, discussed equal rights to property for women in Kosovo. The lectures were followed by lively discussion where students shared their views on a rather taboo subject in an open forum. PRP has an established track record now of conducting

joint lecturing events to the youth (and more specifically, law students) because it has discovered that there is quite an appetite from the youth to use the law to support their individual initiatives in their homes to push for an attitude change with respect to treating daughters equally in matters of property inheritance.

## Information Session/Lecture for High School Students in Suharekë/Suva Reka

PRP and the MGO held a joint information session/lecture with high school students on gender equality and property rights. About 30 students studying the legal professions attended. Students discussed the legal and social barriers that women face in exercising their property rights and shared their views on how to improve the situation. Students voiced the opinion that there is a need for greater advocacy within the family and see themselves as well positioned to do this.



Information session/lecture for high school students.

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## Supporting Study Visit to Court by Elementary School Students in Dragash/Dragaš



Students visiting the courtroom.

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Judge Sebahate Kurteshi invited local elementary school students into the courtroom and spoke with them about the role of the courts in protecting equal rights to property for girls and boys (men and women) in Kosovo. The young students were very excited about the opportunity to visit their first courtroom and posed many questions about property rights to Judge Kurteshi and PRP. In particular, they inquired about why parents and families often fail to treat children equally in inheritance. PRP presented a selection of its *Për të Mirën Tonë* PSA products featuring young children talking about equality in the home,

with which the students were able to relate. Many of the girls were inspired by meeting a female judge and took turns taking pictures of each other while sitting in the judge's bench.

## Engagement in Events and Activities to Commemorate International Women’s Day (March 8)

Events and activities included:

**Conference with Kosovo Bar Association on “Inheritance Package” of Legislation.** The conference was designed to inform Kosovo lawyers and other stakeholders about the package of legislation to amend the law on inheritance, law on non-contested procedure and law on notary, with a focus on the measures addressing gender inequality. The Minister of Justice spoke about the MoJ’s involvement in this process and listed a number of changes in the proposed legislation that support women’s rights to inheritance. A Member of Parliament, Korab Sejdiu, who sits on the legislative commission of the parliament that is reviewing the legislation, pledged his support and urged his colleagues to pay strong attention to the need to defend women’s right to inherit. Around 200 attorneys attended the conference, along with other stakeholders. The audience was urged to provide specific recommendations on the draft legislation through the Kosovo Bar Association or directly to the Parliament.

**Lectures to Viti High School Students.** Together with the Director of the Viti/na Municipal Cadastral Office, PRP gave lectures on women’s property rights in two high schools in Viti/na, a gymnasium and a professional school. The lectures focused on the cultural barriers that impede women in Kosovo from exercising their property and inheritance rights freely and equally and offered a forum for discussing the students’ ideas on how to overcome these obstacles.

**Presentation at Illiria College.** PRP gave a presentation to students at Illiria College on issues surrounding women’s property rights in Kosovo. Other panelists of the event were Ms. Zana Berisha, Project Management Specialist / Rule of Law in the Democracy and Governance Office of USAID Mission in Kosovo, and Ms. Sibel Halimi from the USAID E4E partner, ATRC.

**Panelist at OSCE Conference.** PRP gave a presentation focused primarily on specific cultural barriers and practical obstacles that women face in inheritance; and on PRP’s work to promote positive change in this area.

**Presenting at the National Democratic Institute (NDI) Conference.** PRP made two presentations on the experience, means, and methods used by PRP as part of running a social and behavior change campaign on property rights; and a presentation on the impact of the campaign as demonstrated by the National Survey on Property Rights. PRP emphasized the need for continuous engagement on the issue of improving women’s position with respect to property rights, and shared ideas on how individual citizens can do this.



Three PRP staff members, including Communications and Public Outreach Manager Hana Limani (pictured), presented to 150 NDI “Week of Women” participants on the use and effectiveness of social media for the project’s social behavior change communication campaign for equal property rights for women and men.

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## ENDLINE NATIONAL SURVEY ON PROPERTY RIGHTS

PRP has sub-contracted UBO Consulting (UBO) to conduct the end-line survey. It is expected that UBO will begin its work on or about October 1, 2018 and will complete its survey and publish its report by the end of February 2019.

As with the baseline and mid-term surveys PRP has conducted to date, the end-line survey will be conducted in all 38 Municipalities of Kosovo, including the four northern municipalities. UBO will survey 1,500 households, which is the number required to produce a statistically significant sample that is representative for the entire country.

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

### WORKING CLOSELY WITH MUNICIPAL CADASTRAL OFFICES TO IMPROVE THEIR SERVICES TO CITIZENS

PRP held five regional workshops with Municipal Cadastral Office (MCO) staff to focus attention and foster constructive discussion on how to address specific challenges and problematic issues confronting MCOs and improve service delivery. MCO staff from 30 municipalities participated, including MCO staff of the Serb-majority municipalities Graçanicë/Gračanica, Shtërpçë/Štrpce, Ranillug/Ranilug, Klllokot/Klokot, Partesh/Parteš, and Leposaviq/Leposavić.



PRP Regional Workshop for MCOs in the Gjilan/Gnjilane region.

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PRP distributed questionnaires among the participants in advance of each workshop. Feedback from the workshops and survey documents informed PRP's development of recommendations for improving service delivery that was presented to Director of each MCO. Recommendations will help address the following issues:

1. Eliminating imposition of a Transaction Tax as part of the registration process. This tax has no legal basis.
2. Eliminating the requirement that citizens present proof of payment of property tax in order to receive a property certificate. (This practice does not accord with applicable law.)
3. Eliminating the requirement that all transactions in a value of over 10,000 Euros be conducted by bank transfer, even when the transaction occurred at a time when it was not legally obligatory to do so. The requirement discourages citizens from formalizing informal purchases that occurred several years ago and forces citizens to "re-enact" the transaction which is often not feasible.
4. Eliminating the requirement that as a condition for registration that citizens obtain a document from the municipal authorities stating that the municipality has no interest in purchasing the land in question. This is a remnant from the former regime inconsistent with a market economy.
5. Unifying practices to register transfers of land rights and structures under 99-year leases.
6. Developing consistent practice to register rights confirmed by judicial decision.

7. Developing consistent practice in registering structures that have been privatized while the underlying land has not.
8. Registering land rights under land consolidation initiatives begun by the former regime but not completed.
9. Charging fees for MCO services and products not regulated by statute.

PRP has begun to make progress to support implementation of these recommendations. PPR assisted the Viti/na, and Štrpce/Shtërpçë municipal assemblies to eliminate the requirement that prior to registering rights in property, a citizen must



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obtain a certificate from the municipality indicating that there is no municipal interest in the property being transacted and registered. PRP is also working to eliminate this antiquated requirement in other municipalities that have yet to update their registration procedures.

PRP also assisted these municipalities to reduce the average number of days it takes to conduct property transactions. The Municipal Cadastral Office (MCO) in each municipality exceeded or was at risk of exceeding the 30 day limit imposed by the law to complete the registration process. Times were reduced by 2 and 6 days respectively.

### Public Information Brochures

PRP has produced four different brochures – each in the Albanian and Serbian languages -- that provide citizens with guidance on registering property rights arising in four different scenarios inheritance; purchase and sale; court judgment; and gift. PRP has been urging the municipalities to publish these “How to register ...” brochures in their municipal webpages to provide their citizens with easy access to them. (Most of the



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municipalities noted in their responses in PRP’s questionnaire that the municipalities lack legal information for their citizens).

Thus far, eleven municipalities have published the “How to register...” brochures in their municipal webpages. It is noted that the Shtërpçë/Štrpce municipal website is currently off-line and the Serbian language versions of the municipal websites are under construction. Below are links to the municipalities’ web pages:

- Prishtinë/Priština: [http://prishtinaonline.com/uploads/alb\\_si\\_ta\\_regjistroj\\_pronen\\_te\\_cilen\\_porsa\\_e\\_kam\\_blere.pdf](http://prishtinaonline.com/uploads/alb_si_ta_regjistroj_pronen_te_cilen_porsa_e_kam_blere.pdf)
- Fushë Kosovë/ Kosovo Polje: <https://kk.rks-gov.net/fushekosove/kadaster/udhezuesit-per-regjistrim-te-prones/>
- Viti/na: <https://kk.rks-gov.net/viti/vitia-5/licensa/>
- Dragash/Dragaš: <https://kk.rks-gov.net/dragash/dragash-al/broshura/>
- Gjakovë/ Đakovica: <https://kk.rks-gov.net/gjakove/kadastri-3/dokumentet-dk/>
- Skenderaj/Srbica : <https://kk.rks-gov.net/skenderaj/wp-content/uploads/sites/27/2018/08/combinepdf.pdf>
- Mitrovicë/Kosovska Mitrovica: <https://kk.rks-gov.net/mitroviceejugut/wp-content/uploads/sites/18/2018/01/Hapat-se-si-duhet-te-regjistrohet-prona.pdf>
- Klinë/Klina: <https://kk.rks-gov.net/kline/category/dokumente/>
- Istog/k: <https://kk.rks-gov.net/istog/sherbimet/broshura/>
- Malishevë/Mališevo: <https://kk.rks-gov.net/malisheve/malisheve-2/broshura/>



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### **Discussions with Acting CEO of the Kosovo Cadastral Agency (KCA)**

PRP met with the Acting Chief Executive Officer of KCA, Mr. Avni Ahmeti, to discuss aspects of PRP's work to date with municipalities and to apprise him of PRP's next round of activities to support municipalities in matters related to property rights. PRP described the issues discussed with MCO's at the regional workshops; and discussed plans to upgrade six e-kiosks to enable them to issue property ownership certificates. Mr. Avni was very helpful when PRP was seeking KCA support for e-kiosks that would issue property certificates; and he reaffirmed the readiness of the KCA to support the work to upgrade additional e-kiosks and assigned a contact person for PRP's subcontractors.

In addition, PRP used the opportunity to inform Mr. Ahmeti about its plans to assist some municipalities to lease their agricultural land on a commercial basis and requested the KCA for data on municipal holdings of agricultural land who promised cooperation with this, too.

The KCA has included information about this meeting on its website: <http://www.kca-ks.org/web/10179/165>.

## Installation of First “Second Generation” E-Kiosk in Viti/Na Municipality

PRP and its local subcontractor have installed its first property services e-kiosk in Pozhoran village in Viti/na municipality. The e-kiosk was originally constructed with USAID support to issue civil status documents and was upgraded to issue property ownership certificates and property tax documents. After a soft-launch pilot period, the second generation e-kiosk, the first in Kosovo, was formally launched at a visibility event organized by municipal officials.



Viti/Vitina Mayor and municipal staff with USAID/Kosovo Deputy Mission Director, Lisa Magno and PRP's Chief of Party



Viti/Vitina Mayor and municipal staff with Ms. Ana Luisa Pinto, USAID/Washington Desk Officer, Ms. Christina Davis, USAID/Kosovo Democracy and Governance Office Director, PRP COP, and staff.

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GAZETA ONLINE KRYELAJMI

(two e-kiosks), Pejë/Peć (two e-kiosks), Vushtrri/Vučitrn (one) and Graçanicë/Gračanica (one).



Viti - Ky shërbim elektronik i cilështoi në dispozicion për të gjithë qytetarëve të Republikës së Kosovës është financuar nga USAID - amerikan në kuadër të Programit për të Drejtat Pronësore dhe dokumentet mund të tërhiqjen nga aty në 100 kohë.

Viti/na Mayor Sokhol Haliti and Viti/na Municipal Cadastral Office Director Fatbardha Emiri pose in front of Kosovo's newest e-kiosk (and the first e-kiosk to provide property services) holding their own birth certificates obtained from the e-kiosk. The e-kiosk is located in Pozhoran village in order to make municipal services more accessible to citizens situated far from Viti/na town center.

RAJONI PRESS

The Mayor, Mr. Sokol Haliti, opened the event, and USAID Deputy Mission Director, Ms. Lisa Magno, along with the Director of the KCA made remarks.

PRP developed for the event a brief, easy-to-understand instructional guide for citizens on how to use the e-kiosk. The guide was published in Albanian, Serbian and English languages. PRP also distributed its public information brochures for citizens on how to register property rights.

PRP later facilitated and supported the visit of Ms. Ana Luisa Pinto, USAID's Desk Officer for Kosovo in Washington, DC, to Pozhoran to view a demonstration of the upgraded e-kiosk.

PRP is upgrading an additional six existing e-kiosks in four municipalities: Prishtinë/Priština

## Assistance to MCO in Sterpce/Shterpce

PRP continued to provide technical assistance through and expert consultant to support the Municipal Cadastral Office (MCO) to eliminate its large backlog of unregistered property transactions. To date around 4,400 files have been entered into the Kosovo Cadastre Land Information System (KCLIS), out of an estimated 5,000 total. PRP expects to complete this work in early 2019, following a hiatus required by Kosovo labor law.

### The Backlog of Unregistered Transactions in Štrpce/Shtërpçë Municipality

With PRP's assistance, around **4,400 files** have been entered into the KCLIS to date, out of an estimated **5,500 total**.

The backlog arose when the Municipal Assembly issued an order prohibiting registration of inter-ethnic transactions. The order was subsequently nullified, but during that time the number of transactions that were submitted for registration accumulated, and the MCO did not have the resources to register them and attend to ongoing duties.

## Supporting Leasing of Municipal Land

PRP is supporting selected municipalities to lease municipal arable land to the private sector. Following the conclusion of the regional workshops with MCO's, PRP made fact-finding trips to ten potential partner municipalities to ascertain their officials' level of support for this initiative. PRP also consulted with USAID AGRO, USAID EMPOWER, USAID P4D and USAID AKT-LS. On the basis of its findings, USAID has approved six partner municipalities Gjakovë/Đakovica, Pejë/Peć, Graçanicë/Gračanica, Shtime/Štimlje, Malishevë/Mališevo, and Istog/Istok for this activity.

## Analyzing Key Issues in Land Consolidation

The NSPR cites the objectives of increasing agricultural productivity and economic growth in Kosovo's agricultural sector. Land consolidation can greatly further these objectives by bringing increased efficiency and economies of scale to small holdings. But land consolidation in Kosovo faces serious challenges, most principally, informal property rights. Many parcels cannot be included in a land consolidation schemes are not registered to the current "owners" who are using the land, owing to the absence of a formal transfer of property rights through inheritance or to the lack of a written contract evidencing the purchase.

PRP has developed close contacts with the Ministry of Agriculture (MoA), which is responsible for land consolidation, and with the GiZ project that is assisting the MoA in this area. PRP has agreed to assist in amending the current Law on Land Consolidation. PRP has conducted legal analysis of constraints to land consolidation and shared it with the MoA and GiZ project to support development of the Concept Document that will guide amendments to the existing legislation.

## Safeguarding MCO Archives in Viti/na Municipality

PRP completed its refurbishment of the MCO archive facility of Viti/na municipality where hard-copy cadastral documents are archived and stored. PRP commissioned the installation of fireproof wall panels and flooring, a dehumidifier, a temperature regulator, and LED lighting. This was followed by the provision of shelving, drawers, other furniture, and an electronic door lock. PRP also procured new binders to enable the MCO to standardize the filing of its archived records in a more structured and organized manner and adopt a new labeling system for easier use.

The municipality will transfer its archives to the new facility as part of its larger move to the new municipal building annex that has been recently constructed with funding from the European Union.



Viti/na Mayor Sokhol Haliti and Viti/na Municipal Cadastral Office Director Fatbardha Emini visit PRP's office in Pristina to express their thanks to USAID for its extended cooperation with Viti/na municipality.

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# KEY ACTIVITIES PLANNED FOR YEAR FIVE

## OBJECTIVE 1: BETTER COORDINATION AND POLICY PRIORITIES

### PROPOSED KEY YEAR FOUR ACTIVITIES

1. Continue to support the development of the extensive legislation required to implement the National Strategy, in accordance with the Action Plan.
2. Work closely with the SPO to have the Steering Committee convene and assume responsibility for the implementation of the National Strategy.
3. Continue support for the adoption by Parliament of the Inheritance Package and the Law on the KPCVA.
4. Advocate for the inclusion in the draft Law on Cadaster of the provision to make the Cadaster fully open to the public.

## OBJECTIVE 2: IMPROVED COURT PROCESSES RELATED TO PROPERTY CLAIMS

### PROPOSED KEY YEAR FOUR ACTIVITIES

1. Continue to provide Legal Associates to the Basic Courts of Ferizaj and Gjilan until the hiring process for legal associates for those courts has been fully completed; and continue to urge the Gjilan Basic Court to commence the hiring process.
2. Finalize and publish jointly with JSSP a guide on civil practice that combines JSSP's Bench Book and PRP's Practical Guide.
3. Assist JSSP is support the adoption of caseflow management reforms in additional courts.
4. Complete the initiative to support the Supreme Court in developing guidelines for lower courts on adjudicating problematic issues in substantive property rights practice; and publish and disseminate the guidelines.
5. Complete the development of the four training modules on property rights issues and support the KAJ in conducting training using those modules.
6. Support training for lawyers and mediators on property rights issues.

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

### PROPOSED KEY YEAR FOUR ACTIVITIES

1. Finalize production of a new PSA on women's property rights and continue the media campaign.
2. Support outreach activities in local communities on women's property rights.
3. Support activities by Municipal Gender Officers to inform citizens about women's property rights.

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

### PROPOSED KEY YEAR FOUR ACTIVITIES

1. Complete the upgrading of e-kiosks in Pristina, Peja, Gracanicë and Vushtrri.
2. Complete the initiative in Štrpce/Shtërpçë to register backlogged transactions.

3. Continue efforts to have all municipalities post on their webpages PRP's public information brochures on property registration.
4. Complete initiative to assist selected municipalities in leasing municipal land.
5. Provide support as needed to individual municipalities to assist them in addressing specific property rights issues identified by PRP.

## PROJECT-SPECIFIC PERFORMANCE INDICATORS

Performance Indicator	DO & IR	Baseline	Target <i>(Life of Project-Target)</i>	Actual <i>(Life of Project-Actual)</i>
<b>OBJECTIVE 1: IMPROVE COORDINATION AND POLICY PRIORITIES</b>				
1.1} Number of strategies drafted and approved by the government	<i>DO: Improved Rule of Law and Governance that meet Citizen's Needs</i>  <i>IR: More Efficient, Transparent, Independent &amp; Accountable Justice Sector; Civil Society Strengthened to Increasingly Engage Constructively with Government</i>	0	1	2
1.2} Number of laws drafted and accepted by line ministry/government as a result of USG assistance	<i>DO: Improved Rule of Law and Governance that meet Citizen's Needs</i>  <i>IR: More Efficient, Transparent, Independent &amp; Accountable Justice Sector; Civil Society Strengthened to Increasingly Engage Constructively with Government</i>	0	6	9 <b>(Drafted)</b> 2 <b>(adopted)</b>
1.3} Number of secondary legislation drafted and approved	<i>DO: Improved Rule of Law and Governance that meet Citizen's Needs</i>  <i>IR: More Efficient, Transparent, Independent &amp; Accountable Justice Sector; Civil Society Strengthened to Increasingly Engage Constructively with Government</i>	0	14	26 <b>(4A+22D)</b>
<b>OBJECTIVE 2: IMPROVED COURT PROCESSES RELATED TO PROPERTY CLAIMS</b>				
2.1} Number of court procedures and secondary legislation related to	<i>DO: Improved Rule of Law and Governance that meet Citizen's Needs</i>	0	12	1

Performance Indicator	DO & IR	Baseline	Target <i>(Life of Project-Target)</i>	Actual <i>(Life of Project-Actual)</i>
court function and/ or improved court performance adopted and approved	<i>IR: More Efficient, Transparent, Independent &amp; Accountable Justice Sector</i>			
2.2} Number [average] 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 &amp; Accountable Justice Sector</i>	1249	936	920 <sup>1</sup>
2.3} Percent of property disputes cases resolved in courts [within 2 years]	<i>DO: Improved Rule of Law and Governance that meet Citizen's Needs</i> <i>IR: More Efficient, Transparent, Independent &amp; Accountable Justice Sector</i>	32%	72%	TBD
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 &amp; Accountable Justice Sector</i>	22%	52%	28%
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 &amp; Accountable Justice Sector</i>	0	450	118

<sup>1</sup> This is valid only for the Courts of Merit, 3 Basic Courts (Gjilan/Gnjilane, Peja/Peć, and Ferizaj/Uroševac) and I Branch Court (Strpce).

Performance Indicator	DO & IR	Baseline	Target <i>(Life of Project-Target)</i>	Actual <i>(Life of Project-Actual)</i>
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 &amp; Accountable Justice Sector</i>	0	9	4 <sup>2</sup>
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 &amp; Accountable Justice Sector</i>	0	12	0
<b>OBJECTIVE 3: ENHANCED ABILITY FOR WOMEN TO ACCESS THEIR PROPERTY RIGHTS IN PRACTICE</b>				
3.1} Number of people from civil society and "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 &amp; Accountable Justice Sector;</i> <i>Civil Society Strengthened to Increasingly Engage Constructively with Government</i>	0	80	55
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 &amp; Accountable Justice Sector;</i> <i>Civil Society Strengthened to Increasingly Engage Constructively with Government</i>	0	70	111

<sup>2</sup> PRP is in the process of assisting 4 Basic Courts (Gjilan, Peja, Ferizaj, and the Branch Court of Strpce) with improved case management related to resolution of property claims and disputes.

Performance Indicator	DO & IR	Baseline	Target <i>(Life of Project-Target)</i>	Actual <i>(Life of Project-Actual)</i>
3.3} Number of communication and outreach campaigns, developed/supported by USG assistance	<p><i>DO: Improved Rule of Law and Governance that meet Citizen's Needs</i></p> <p><i>IR: More Efficient, Transparent, Independent &amp; Accountable Justice Sector; Civil Society Strengthened to Increasingly Engage Constructively with Government</i></p>	0	1	1
3.4} Number of communication outreach activities and events developed and implemented by PRP and "E4E CSO-s to change cultural attitudes and behaviors about women's property rights	<p><i>DO: Improved Rule of Law and Governance that meet Citizen's Needs</i></p> <p><i>IR: More Efficient, Transparent, Independent &amp; Accountable Justice Sector; Civil Society Strengthened to Increasingly Engage Constructively with Government</i></p>	0	114	124
3.5} Percentage of citizens who have been reached by PRP and E4E lead social behavior campaign and recognize the PRP and E4E CSO campaign/brand/identity/logo/messages/content	<p><i>DO: Improved Rule of Law and Governance that meet Citizen's Needs</i></p> <p><i>IR: More Efficient, Transparent, Independent &amp; Accountable Justice Sector; Civil Society Strengthened to Increasingly Engage Constructively with Government</i></p>	0	40%	76%
3.6} Percentage of citizens [with negative attitude] who report changing their attitude/behavior about women's rights to inherit property and engage in economic activities after exposure to PRP	<p><i>DO: Improved Rule of Law and Governance that meet Citizen's Needs</i></p> <p><i>IR: More Efficient, Transparent, Independent &amp; Accountable Justice Sector; Civil Society Strengthened to Increasingly Engage Constructively with Government</i></p>	36%	16%	27%

Performance Indicator	DO & IR	Baseline	Target <i>(Life of Project-Target)</i>	Actual <i>(Life of Project-Actual)</i>
and/or E4E CSO communication and outreach products, activities and events				
3.7} Number [percentage] of women who file inheritance claims in the court	<i>DO: Improved Rule of Law and Governance that meet Citizen's Needs</i>  <i>IR: More Efficient, Transparent, Independent &amp; Accountable Justice Sector; Civil Society Strengthened to Increasingly Engage Constructively with Government</i>	0.3%	30%	3%
3.8} Number [percentage] of women inheriting property	<i>DO: Improved Rule of Law and Governance that meet Citizen's Needs</i>  <i>IR: More Efficient, Transparent, Independent &amp; Accountable Justice Sector; Civil Society Strengthened to Increasingly Engage Constructively with Government</i>	3.8%	33.8%	7.5%
<b>OBJECTIVE 4: IMPROVED ACCESS TO INFORMATION AND UNDERSTANDING OF PROPERTY RIGHTS</b>				
4.1} [Number of] Land administration offices established or upgraded: The number of land administration and service offices or other related facilities that the	<i>DO: Increase Investment and Private Sector Employment</i>  <i>IR: Improved Economic Governance &amp; Business Environment</i>	0	4	5 <sup>3</sup>

<sup>3</sup> PRP has refurbished the archives facility in Viti/Vitina, and is establishing or upgrading e-kiosks with MCO functions in Gjakovë/Đakovica, Vushtrri/ Vučitrn, Pejë/Peć and Pristine (in addition to Viti/Vitina).

Performance Indicator	DO & IR	Baseline	Target <i>(Life of Project-Target)</i>	Actual <i>(Life of Project-Actual)</i>
project physically establishes or upgrades.				
4.2} Number of days to conduct property transactions reduced due to improved information systems [in participating municipalities]	<i>DO: Increase Investment and Private Sector Employment</i> <i>IR: Improved Economic Governance &amp; Business Environment</i>	33	29	29
4.3} Number of parcels corrected or incorporated into land system [in participating municipalities]	<i>DO: Increase Investment and Private Sector Employment</i> <i>IR: Improved Economic Governance &amp; Business Environment</i>	0	440	4692
4.4} Land rights formalized [in participating municipalities]	<i>DO: Increase Investment and Private Sector Employment</i> <i>IR: Improved Economic Governance &amp; Business Environment</i>	0	440	4692
4.5} Percent of citizens with increased knowledge of their property rights	<i>DO: Increase Investment and Private Sector Employment</i> <i>IR: Improved Economic Governance &amp; Business Environment</i>	27%	52%	51%
4.6} Number of municipal officials in participating municipalities trained in property related issues.	<i>DO: Increase Investment and Private Sector Employment</i> <i>IR: Improved Economic Governance &amp; Business Environment</i>	0	40	81

# PROJECT STAFF

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# ANNEX I: NSPR LEGISLATION TABLE

**STATUS OF IMPLEMENTATION OF THE NATIONAL STRATEGY ON PROPERTY RIGHTS:  
CONCEPT DOCUMENTS, LAWS, ADMINISTRATIVE INSTRUCTIONS, AND REGULATIONS SUPPORTED BY USAID PRP  
As of September 30, 2018**

Nr. of Acts	NSPR Objective	NSPR AP Output	Type of Act	Name of Act(s)	Status	Purpose	Next Step	Type of PRP Support
<b>Technical Assistance to the Ministry of Justice</b>								
1	2	2.3	Concept Document	Concept Document for amending and harmonizing the Law on Notary, Law on Inheritance, Law Non-Contested Procedure	Adopted	Address inconsistencies between legal acts, the dual jurisdiction of courts and notaries to process uncontested inheritance claims is removed by making it exclusive jurisdiction of notaries and ensuring that notary fees are fair, reasonable and affordable, instituting safeguards for protection of women's property rights.	The GoK has approved the draft Laws and sent them to Parliament. They are currently ready for second reading.	Drafting
2			Law	Law on Inheritance	Finalized			Drafting
3			Law	Law on Non-Contested Procedure	Finalized			Drafting
4			Law	Law on Notary	Finalized			Drafting
5	1	1.6	Concept Document	Concept Document on a new Law on Public Property	Adopted	Clearly defining various forms of public ownership and assigning clear roles and responsibilities; the Law will define public property as consisting of state property and municipal property and establish rules and procedures for management of such property	With public consultation phase completed, to finalize draft Law and submit for GoK approval.	Comments
6			Law	Law on Public Property	In Progress.			Drafting

Nr. of Acts	NSPR Objective	NSPR AP Output	Type of Act	Name of Act(s)	Status	Purpose	Next Step	Type of PRP Support
7	5	5.3	Concept Document	Concept Document on Construction Land	Adopted	Concept Document proposes a new law on construction land, establishing procedures to transform right to use socially owned urban construction land, unite ownership of buildings with the parcel, as well as other matters to secure tenure and improve land management	Draft a new Law on Construction Land	Drafting
8	5	5.3	Law	Law on construction Land	In Progress	Clarify property rights and management of construction land, establishing procedures to transform right to use socially owned urban construction land, unite ownership of buildings with the parcel, as well as other matters to secure tenure and improve land management	Finalize Law and submit for GoK approval.	Drafting
9	1		Concept Document	Concept Document for amending the Law on Property and Other Real Rights	Adopted	Concept Document proposes to accurately regulate modalities of acquiring ownership and other real rights, further regulate prescription and accession as means of acquiring real rights, a clear definition of bona fide possession of immovable property, definition of types of property, in Kosovo, transformation of permanent right of use to ownership, definition of the status of 99-year lease, and, finally, regulate the rights of foreign citizens to own property in Kosovo.	The draft Law is to be incorporated into the new Civil Code as one of the four special books.	Drafting
10	1		Law	Law on rights of foreign citizens to own property in Kosovo	In Progress	Regulating the rights of foreign citizens to own property in Kosovo.	Finalize Law and submit for GoK approval.	Drafting

Nr. of Acts	NSPR Objective	NSPR AP Output	Type of Act	Name of Act(s)	Status	Purpose	Next Step	Type of PRP Support
11	5	5.15	Concept Document	Concept Document on a new Law for the Special Chamber of the Supreme Court	Adopted	Concept Document proposing to amend the law to simplify procedures for the adjudication of claims, stipulating core conditions to submit claims before the Special Chamber of the Supreme Court, thereby decreasing the Special Chamber's caseload. (Note: the Strategy AP foresees a sub-legal act for this measure; however, given the necessity for in-depth assessment, the law itself has been proposed for amendment)	New Draft Law has been approved	N/A
12	3	3.11	Concept Document	Concept Document for amending the Law on Contested Procedure	In Progress	Amended Law No. 03/L-006 on Contested Procedure, including a provision stipulating that the legal time-limits shall run only from the moment each party receives a court order, instruction or decision in the official language chosen by the party; standardized bilingual forms to be used in courts; public awareness campaign on language rights and the role and mandate of the Office of the Language Commissioner	Finalize and Approve the Concept Document; Amend the Law	Drafting
13	1		Concept Document	Concept Document on the transformation of the ownership right on socially owned immovable property	In Progress		Finalize and Approve the Concept Document; Draft new Law	Drafting

Nr. of Acts	NSPR Objective	NSPR AP Output	Type of Act	Name of Act(s)	Status	Purpose	Next Step	Type of PRP Support
<b>Technical Assistance to the Ministry of Finance</b>								
14	3 & 5	3.8 / 5.17	Law	Law on Immovable Property Tax	Finalized	New Property Tax Law to establish a fair and effective property tax system, increase revenues from property tax, stimulate the most productive use of arable land and encourage market transactions and to significantly improve the process of appraising properties and promote a realistic, transparent and active property market. Furthermore, New Property Tax Law to implement a legal exemption for DP owners from payment of accumulated property tax during the period they had been prevented from accessing their properties	Approval	Comments
<b>Technical Assistance to the Ministry of Local Government Administration</b>								
15	I	1.7	Concept Document	Concept Document on a new Law on Allocation for Use and Exchange of Municipal Immovable Property	Adopted	New Law on allocation for use and exchange of immovable municipal property, clearly defining entitlements, rights and obligations of municipalities with regard to municipal property	Following government approval, the Law has been submitted to the Parliament.	Comments
16			Law	Law on Allocation for Use and Exchange of Municipal Immovable Property	In Progress		Law has passed first reading and is under review by Parliamentary Commission.	Drafting/ Workshops
<b>Technical Assistance to the Ministry of Environment and Spatial Planning</b>								
17	I		Concept Document	Concept Document for amending the Law on Condominiums	In Progress	With the purpose of more effective administration of condominiums, the Concept Document proposes a clear definition of joint immovable property on condominiums while proposing a linkage of ownership between buildings and land parcels.	Finalize and Approve the Concept Document; Amend the Law	Drafting; workshops

Nr. of Acts	NSPR Objective	NSPR AP Output	Type of Act	Name of Act(s)	Status	Purpose	Next Step	Type of PRP Support
18			Concept document	Concept Document on Law on Amending the Law No.04/l-061 on Sale of the Apartments in Which There is a Tenure Right	Adopted	To extend the deadline for sale of apartment in which is the tenure right for another period of three (3) years	Draft and finalize the Law	Drafting
19			Law	Law on Amending the Law No.04/l-061 on Sale of the Apartments in Which There is a Tenure Right	In Progress	To extend the deadline for sale of apartment in which is the tenure right for another period of three (3) years.	Finalize and Approve the Law	Drafting
20	5	5.2.1	Concept Document	Concept Document for expropriation of immovable property	Adopted	Implementing a suitable mechanism for transfer of ownership, foreseeing an adequate expropriation mechanisms and implementing a fair compensation scheme	Finalize and Approve the Concept Document; Amend the Law	Drafting
21	5	5.2.1	Law	Law on Treatment of Constructions without Permit	Adopted	Amend the legalization law to extend deadlines, streamline procedures and lower costs.	Law has been adopted.	Comments
22	2	2.2	Law	Law on Cadastre and Law on Immovable Property Rights Registry	In Progress	The Laws on Cadastre and Immovable Property Rights Registry are being amended to integrate the two laws, integrate MCOs into the KCA, and streamline procedures	Finalize and submit for GoK approval.	Comments
23	5	5.1.1.2	Administrative Instruction	Administrative Instruction on Spatial Planning Technical Norms	Adopted	Sets basic requirements to guide spatial planning decisions (like the construction code, but for spatial planners)	Completed	Comments
24	5	5.1.1.5	Administrative Instruction	Administrative Instruction on Institute for Spatial Planning	Adopted	Sets the scope and requirements for the Institute for Spatial Planning	Completed	Comments

Nr. of Acts	NSPR Objective	NSPR AP Output	Type of Act	Name of Act(s)	Status	Purpose	Next Step	Type of PRP Support
25	5	5.1.4	Administrative Instruction	Administrative Instruction on Categories of Construction	Adopted	Amend sub-legal acts under Law on Construction to further streamline construction permitting procedures for reducing costs and eliminating administrative obstacles	Completed	Comments
26	5	5.1.4	Administrative Instruction	Administrative Instruction on Issuing Construction Permits	Adopted	Amend sub-legal acts under Law on Construction to further streamline construction permitting procedures for reducing costs and eliminating administrative obstacles	Completed	Comments
27	5	5.1.4	Administrative Instruction	Administrative Instruction on Construction Inspections	Adopted	Amend sub-legal acts under Law on Construction to further streamline construction permitting procedures for reducing costs and eliminating administrative obstacles	Completed	Comments
27	5	5.1.1.1	Administrative Instruction	Administrative Instruction on Detailed Regulatory Plans	Adopted	Regulation to establish the elements and basic requirements for the design, implementation and monitoring of detailed regulatory plans	Completed	Comments
28	5	5.1.1.6	Administrative Instruction	Administrative Instruction on Spatial Planning Database	Finalized	Establishes the structure and basic requirements for the spatial planning database.	Approval for AI	Comments
29	5	5.1.4	Administrative Instruction	Administrative Instruction on Construction Permit Fees	Adopted	Amend sub-legal acts under Law on Construction to further streamline construction permitting procedures for reducing costs and eliminating administrative obstacles	Completed	Comments
30	5	5.1.1.8	Administrative Instruction	Administrative Instruction on Spatial Planning Supervision, Penalties and Taking of Measures	In Progress	Sets inspection and supervision procedures and responsibilities.	Approval for AI	Comments

Nr. of Acts	NSPR Objective	NSPR AP Output	Type of Act	Name of Act(s)	Status	Purpose	Next Step	Type of PRP Support
<b>Technical Assistance to the Office of the Prime Minister</b>								
31	2	2.1.1	Law	Amending the law on KPCVA	In Progress	Add to the KPCVA the competence of adjudicating and offering legal recognition of informal rights. During the exercise of its functions, KPCVA would apply streamlined administrative procedures. Include new notification provisions in the KPCVA law or in new legislation instituting enhanced and robust notice procedures to strengthen due process and support constructive notice procedures that would allow the adjudicatory body to make use existing e-Governance infrastructure and other tools to effectively disseminate notice and information.	The GoK has approved the draft Law and sent it to Parliament. It is scheduled for review by Commission on Legislation.	Drafting
31	4		Administrative Instruction	Administrative Instruction on Special Measures for the Registration of Joint Immovable Property on Behalf of both Spouses	Adopted	Offering joint registration of property free of charge as an incentive to increase the number of women that own immovable property in Kosovo.	Completed	Drafting
32	3		Regulation	Regulation on Duties, Responsibilities and Organization of the Executive Secretariat of the KPCVA	Adopted	Following the transformation of KPA into the KPCVA, this regulation stipulates the duties, responsibilities and organization of the Executive Secretariat of the KPCVA and sets out the criteria for the selection and the end of the function of the Director and Deputy Director of the Agency.	Completed	Drafting

Nr. of Acts	NSPR Objective	NSPR AP Output	Type of Act	Name of Act(s)	Status	Purpose	Next Step	Type of PRP Support
33	3		Regulation	Regulation on Duties, Responsibilities and Procedures of KPCVA Commissions	Adopted	Following the transformation of KPA into the KPCVA, this regulation determines the duties, responsibilities, rules of procedure, general principles, organization and holding the sessions, and decision-making method of the KPCVA Commissions.	Completed	Drafting
34	3		Regulation	Regulation on the work of the KPCVA Supervisory Body	Adopted	Following the transformation of the KPA into the KPCVA, this regulation determines the rules of procedure, general principles, organizing and holding meetings, and decision making procedures for KPCVA Supervisory Body meetings.	Completed	Drafting
35	3	3.8	Administrative Instruction	Administrative Instruction on the Exemption of Property/User Rights Holders from Public Utility Arrears [Accumulated Debt] for Occupied Properties and Properties under the Administration of the KPCVA	Adopted	The AI determines the conditions for the exemption from public utility debt for the period during which the property was occupied or during KPCVA administration. (Note: The National Strategy only foresees only exemptions to accumulated property tax; this is an additional measure that the PRP welcomed)	Completed	Drafting
36	3		Administrative Instruction	Administrative Instruction on Procedures, Conditions and Criteria for the End of Administration of Properties under Administration and those Included in the Rental Scheme of the KPCVA	Adopted	This Administrative Instruction determines the conditions and criteria for the end of administration of properties under administration and those included in the rental scheme of the KPCVA.	Completed	Drafting

## TABLE KEY

Type of PRP Support	Remarks
Drafting	PRP supported drafting, either through in-house expertise or STTA support
Comments	PRP submitted written comments for available drafts
Workshop	PRP organized workshop(s) for working group members to finalize drafts

Type of Act	Remarks
Concept Document	Drafting a new law or amending an existing law requires drafting a Concept Document, which offers an assessment of the consequences of all options considered, including benefits and negative consequences, budgetary costs, as well as administrative and implementation capacity. Concept Documents are drafted by sponsor institutions and approved by the Government of Kosovo.
Law	Either drafting new laws or amending existing laws
Administrative Instruction	Sub-legal acts
Regulation	Sub-legal acts

Implementation Status	Remarks
Pending	No activities yet, or activities have been interrupted
In progress	Drafts are being prepared
Finalized	Drafts are client-ready; next step: adoption, which is beyond PRP's reach
Adopted	<u>Concept Document</u> : Government adopted the proposed draft submitted by sponsor institution; <u>Law</u> : Parliament adopted draft-law submitted by the Government; <u>Administrative Instruction</u> : Minister signed the Administrative instruction



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