



# QUARTERLY REPORT NO. 13

Property Rights Program (PRP)  
FY2017  
(April 1 – June 30, 2017)



**JULY 2017**

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**Cover Photo:** A family can be seen walking to the Kosovo Modelarium of Architecture, a unique and well-preserved event space in downtown Pristina. On May 11, 2017, The Modelarium served as the venue space for the Property Rights Program's launch event for the second phase of campaign activities promoting fair and equal property rights for men and women. The young girl is a member of the children's ballet troupe, "Pirouette," which performed as part of a larger program of events that day celebrating fine arts and its use to promote gender equality in property.

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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
ATRC	Advocacy Training & Resource Center
AWGJ	Active Women of Gjakova
BIRN	Balkan Investigative Reporting Network
CDCS	Country Development Cooperation Strategy
CLARD	Center for Legal Aid and Regional Development
CLE	Contract Law Enforcement Project
CoM	Court of Merit
CMO	Case Management Office
CRM	Case Record Management Specialist
CSD	Communication for Social Development
CSO	Civil Society Organization
DCM	Deputy Chief of Mission
DO	Development Objective
ECHR	European Court of Human Rights
E4E	Engagement for Equity
EU	European Union
FAO	Food and Agriculture Organization
GoK	Government of Kosovo
GPS	Global Positioning System
HPD	Housing and Property Directorate
IQC	Indefinite Quantity Contract
IR	Intermediate Result
JSSP	Justice System Strengthening Program
KCA	Kosovo Cadastral Agency
KCBS	Kosovo Center for Business Support
KCLIS	Kosovo Cadastre and Land Information System
KJC	Kosovo Judicial Council
KPCVA	Kosovo Property Comparison and Verification Agency
MCC	Millennium Challenge Corporation
MCO	Municipal Cadastral Office

MESP	Ministry of Environment and Spatial Planning
MGO	Municipal Gender Officer
MLGA	Ministry of Local Government Administration
Moj	Ministry of Justice
NSPR	National Strategy on Property Rights
OPM	Office of the Prime Minister
OSCE	Organization for Security and Cooperation in Europe
PFD	Partnerships for Development
PRP	Property Rights Program
PSA	Public Service Announcement
RFQ	Request for Quotation
STTA	Short-Term Technical Assistance
STARR	Strengthening Tenure and Resource Rights
UN	United Nations
UNIREF	Unified Reference Payment Code
UNMIK	United Nations Interim Administration Mission in Kosovo
USAID	United States Agency for International Development
W4W	Women 4 Women



# INTRODUCTION AND BACKGROUND

The absence of an effective property rights framework in Kosovo weakens democratic governance, impacts human rights, disempowers women and impedes sustainable economic growth. The USAID/Kosovo Property Rights Program promotes effective donor and government stakeholder coordination to develop and implement a National Strategy on Property Rights (the National Strategy) and strengthen property rights legislation; supports the development of improved court procedures 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 National Strategy in January 2017, PRP is now working closely with all relevant GoK bodies to support the development of the legislation necessary to implement the National Strategy, and to do so in a manner that ensures the continued coordination and collaboration with the many ministries, agencies, civil society organizations and donor organizations and projects that took part in developing the National Strategy.

PRP is working closely with the Kosovo Judicial Council (KJC) and four Courts of Merit (CoMs) to develop and pilot improved court procedures related to property claims and will also help courts remove constraints in practice that women face in inheriting property. PRP assistance to improve court performance also informs the development of more consistent judicial practice in adjudicating property claims. 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 is continuing its national media campaign and grassroots public outreach activities in Kosovo communities to prompt changes in social attitudes and behaviors inhibiting women from inheriting and owning property. PRP also provides technical assistance to Civil Society Organizations (CSOs) to develop and implement activities aimed at supporting women's property rights and to complement PRP's public outreach activities.

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

# EXECUTIVE SUMMARY

## SUMMARY OF RESULTS FOR THE REPORTING PERIOD AND KEY ACHIEVEMENTS

This Quarter saw PRP advance its initiatives significantly under all four Objectives. Under Objective 1, implementing legislation for the National Strategy on Property Rights was developed at a steady pace, despite the call for national elections and the resulting caretaker status assumed by the national government. Under Objective 2, PRP began piloting its improved case management reforms in its three Courts of Merit. Under Objective 3, PRP unveiled for broadcasting a new series of PSAs on women's property rights, launching them with a visibility event featuring remarks by the USAID Mission Director; and prepared for dissemination its Report on the results of the Mid-Term National Survey on Property Rights in Kosovo. Under Objective 4, PRP produced information products for citizens on registering property and moved forward a number of other initiatives in partner municipalities that are designed to improve municipal governments' services to their citizens.

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### OBJECTIVE 1: BETTER COORDINATION AND POLICY PRIORITIES

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**IMPLEMENTATION OF NATIONAL STRATEGY ON PROPERTY RIGHTS MOVES AHEAD, WITH 18 LEGAL ACTS CURRENTLY APPROVED OR IN PROCESS.** With the GoK adopting the National Strategy on January 18, 2017, during this Quarter PRP worked with stakeholder ministries and agencies to develop legislation necessary to implement the National Strategy, in accordance with the Action Plan that was adopted with the National Strategy. The Action Plan indicates, for each strategic objective, the specific measures, activities and sub-activities required to implement the National Strategy, indicators to monitor implementation, the institutions responsible for each action, and the expected costs of implementation.

**LOCAL LEGISLATIVE DRAFTING EXPERTS HIRED TO SUPPORT STAKEHOLDER INSTITUTIONS IN IMPLEMENTING THE NATIONAL STRATEGY.** During this Quarter PRP undertook and completed an extensive process to recruit and hire additional legal experts to support the GoK ministries and agencies responsible for developing the legislation to implement the National Strategy. The experts will provide technical support to stakeholder institutions and also help ensure coordination and collaboration among them.

Close inter-ministerial collaboration is crucial to this initiative for two reasons: (1) the legislation required will address issues that touch on the authority of numerous GoK institutions. These institutions must have a voice and role in the development of the legislation, in order to attain their general consensus and support; (2) the legislation required must address issues of a cross-cutting nature that impact many current legal acts. The new legislation will require that all other relevant legislation be brought into conformity.

**WORKSHOPS FOR LAW STUDENTS AND OTHER UNIVERSITY STUDENTS ON ISSUES ADDRESSED IN THE NATIONAL STRATEGY.** The purpose of the workshops was to inform Kosovo law students and other university student about the practical property rights challenges facing Kosovo and the policy and legal interventions envisioned in the National Strategy on Property Rights to address those challenges. Nearly 200 students attended the workshops and praised them very highly. The participants received four hours of instruction on the five subject areas of the National Strategy, in discussion groups conducive to interaction. Experts who had taken an active part in developing the National Strategy provided the instruction.

**MAKING EU VALUATION STANDARDS AVAILABLE IN KOSOVO IN ALBANIAN AND SERBIAN.** PRP responded to a request from the Kosovo Valuers Association (for property valuation) to support the translation into Albanian of European valuation standards. Introducing European valuation standards in Kosovo is consistent with the National Strategy, which cites problems with current valuation practice in Kosovo, and also supports Kosovo's approximation to

the EU. The translation will be completed in July. PRP will also support the Association in acquiring the right to use the Serbian translation of the standards, which is available in Serbia.

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

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**PRP PILOTING MODERN CASEFLOW MANAGEMENT PRACTICES IN THE CIVIL DIVISIONS OF ITS THREE COURTS OF MERIT.** During this Quarter, PRP continued to support the integration in the civil divisions of its CoMs of the modern caseflow management practices that PRP has developed to address the problems identified through its extensive empirical research and analysis of the caseflow management of property cases in the CoMs. The improved practices are designed to eliminate unnecessary delays in adjudication and improve court efficiency.

Preliminary results to date indicate that the practices are enabling courts to reduce delays significantly. Once PRP has tested the improved caseflow management practices in the courts for six months and has achieved tangible results, PRP will approach the KJC and urge that these practices be adopted in the other Basic Courts.

**PRP HIRES ADDITIONAL LEGAL ASSOCIATES AND INTERNS TO SUPPORT THE INTEGRATION OF THE CASEFLOW MANAGEMENT REFORMS.** To support the integration of the improved caseflow management practices throughout the Civil Divisions of the CoMs and to secure the engagement of all of the Civil Division judges in applying them, PRP hired an additional six legal associates during this Quarter to work in the CoMs, along with five interns, who will record caseflow data and support the legal associates.

**US JUDGE MENTORS LOCAL JUDGES TO SECURE THEIR SUPPORT FOR THE CASEFLOW MANAGEMENT REFORMS.** During this Quarter PRP STTA Judge Joseph Traficanti continued working closely with judges and case management staff to reinforce their understanding of and support for caseflow management reforms.

Judge Traficanti conducted a joint half-day training on the role of leadership in improving the adjudication process for a total of 12 attendees from each of the CoMs. At this training, PRP presented its action plan for implementing PRP's recommendations for improving case management of property cases and civil cases, including the integration of additional legal associates; and led discussion of the importance of scheduling orders in keeping cases moving forward and introduced a draft template for the judges to review. Judge Traficanti also met and worked with judges on an individual basis on site in the CoMs.

**PREPARING A PRACTICAL GUIDE ON CASEFLOW MANAGEMENT REFORMS.** PRP intends to produce a handbook for judges and court staff on the reforms, i.e., "A Practical Guide for Improving Caseflow Management of Property Rights Cases and Other Civil Cases," and during this Quarter PRP completed the first draft. The practical guide will support the extension of these reforms to other courts.

**COMPLETION NEARS FOR INITIATIVE TO PRODUCE CASE SUMMARIES IN ALBANIAN OF DECISIONS OF THE EUROPEAN COURT OF HUMAN RIGHTS RELATED TO PROPERTY RIGHTS.** During this Quarter the interns preparing the case summaries received periodic training from their instructors and commenced their work. To date the interns have produced a total of 112 case summaries, of the total of 140-150 that have been projected. These cases include the "landmark cases," i.e., the early decisions issued by the ECHR that laid the basis for future decisions, to which the court refers in developing further its jurisprudence on property rights.

It is expected that all case summaries will be in final substantive form by the end of July. Following their translation into Serbian, they will be published and presented at a visibility event later this year.

**COORDINATION WITH THE USAID JUSTICE SECTOR STRENGTHENING PROGRAM.** During this Quarter PRP was in regular contact with USAID JSSP – principally with

the JSSP Court Administration Advisor, whom it kept informed of PRP's caseload management activities in the CoMs and PRP's recruitment of additional legal associates. PRP also had separate meetings with visiting JSSP STTA experts during their visits to Kosovo.

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

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**PRP CONTINUES MEDIA CAMPAIGN ON EQUAL PROPERTY RIGHTS WITH NEW PSA'S.** During this Quarter, PRP aired its new series of PSAs for PRP's campaign, *For Our Common Good*. The PSAs are designed to evoke viewers' memories of happy moments with their families and prompt reflection on the importance of treating one's children (sons and daughters), and one's siblings (brothers and sisters) equally, regardless of gender.

There are three different PSAs, each designed for a separate target groups (parents, sons and daughters). The PSAs are interrelated, and portray the story of the same family from three different perspectives. There is a set of three PSAs in Albanian and a separate set in Serbian (using actors who are native speakers in each set). All PSAs end with the message "Equal Love = Equal Rights" and the campaign slogan: "Kosovo citizens for equal property rights."

Each PSA will be shown for a period of 1 month (initially) on national TV stations (3 Albanian, 1 Serb) and local TV stations (6 Albanian, 3 Serb), covering most regions of Kosovo. Airing began on April 3, 2017. There is also a version of the PSAs for radio broadcast.

**PRP CONDUCTS NEW BILLBOARD CAMPAIGN TO COMPLEMENT MEDIA CAMPAIGN.** Along with the new round of PSAs, PRP displayed three new series of billboards to support the *For Our Common Good* campaigns. The motifs used included still shots from the new PSAs and paintings by fourth-graders on the themes of PRP's puppet show, "On Grandpa's Lap." The billboards were displayed in 11 municipalities. The billboards placed in Serbian communities were in Serbian, and others will in Albanian (and 1 of them, in Prishtinë/Pristina, was in English).

The billboards also displayed the campaign tagline: Kosovo citizens for equal property rights, and #ForOurCommonGood (which is also displayed in the closing scene of the media PSAs), to generate social media interaction.

**VISIBILITY EVENT HELD TO LAUNCH NEW ROUND OF PSA'S, USING ART TO CONVEY THE MESSAGE.** The Launch Event featured remarks by the USAID Mission Director; an appearance by two actors starring in the Serbian version of the new PSAs (father and son); a presentation of two of the new PSAs; a performance by the children ballet troupe, "Pirouette"; the announcement of the three winners of the photography contest for photographs on the theme, "Property Rights"; and an exhibition of paintings by 35 fourth-graders from a Pristina elementary school, on the puppet show "Grandpa's Lap."

**PUPPET THEATER PLAY ON EQUAL PROPERTY RIGHTS REPRISÉD IN PRISTINA FOR FOURTH-GRADERS.** Around 120 fourth-graders from the "Gjergj Fishta" elementary school attended the event, along with teachers and school officials. As they were leaving the theater, the children received painting kits and were later asked to paint pictures on the topics of the puppet show. PRP is using these pictures in its campaign, *For Our Common Good*.

**FINAL REPORT PREPARED ON FINDINGS FROM PRP'S MID-TERM NATIONAL SURVEY ON PROPERTY RIGHTS IN KOSOVO.** During this Quarter PRP, with its STTA expert, Dr. Sandra Joireman, finalized for publication its Report on results from the mid-term National Survey on Property Rights.

Findings indicate positive changes in citizens' knowledge of property rights and in their support for women's equal property rights, and also show an increase in women's exercising of their property rights through inheritance and registration, with an increase in the number of women owning property.

The findings also show that PRP's public information activities and media campaign have reached large segments of Kosovo's population, generating discussion and debate throughout Kosovo society, and likely played a decisive role in prompting the changes described above.

PRP plans to formally announce the findings at a visibility event scheduled for July 13, 2017.

**PRP PRODUCES ANIMATED VIDEO ON RESULTS OF THE MID-TERM NATIONAL SURVEY.** The animated video will be posted on social media. It will be unveiled at the visibility event scheduled for July 13, 2017.

#### **OUTREACH EVENTS IN DRAGASH/DRAGAŠ ON EQUAL PROPERTY RIGHTS.**

During this Quarter, PRP supported a roundtable for women in Dragash/Dragaš that was led and organized by the Dragash/Dragaš Municipal Gender Officer. The roundtable featured (i) a presentation by PRP on the law governing women's property rights and the opportunities it offers to women, and all citizens, to acquire and use property; and (ii) a discussion led by MGO of Dragash/Dragaš on local traditions and customs. Around 38 local women participated in the event. Women discussed these issues openly. PRP also showed PSAs from its media campaign

PRP also facilitated a roundtable in Dragash/Dragaš led by the US Embassy Deputy Chief of Mission, Ms. Colleen Hyland, to discuss women's property rights issues with women from the municipality.

#### **PRESENTATION OF PROPERTY RIGHTS ISSUES TO HIGH SCHOOL STUDENTS IN SHTERPCË/ŠTRPCE.**

The presentation focused on the importance of equal property rights and the ongoing legislative reforms of the sector under the National Strategy on Property Rights. Over 60 students attended. The conversation was interactive with very high level of interest, and students discussed their own understanding and experience with property, including women's ability to exercise property and inheritance rights. PRP also showed its PSAs.

#### **FACILITATING CIVIL SOCIETY'S ENGAGEMENT ON INHERITANCE REFORMS.**

PRP and ATRC worked together with the sub-grantees to help them consolidate their (the sub-grantees') recommendations on the "Inheritance Package" of draft legislation. ATRC submitted the recommendations to the National Assembly.

To support this process, PRP and ATRC organized a debate where civil society presented recommendations to the parliamentary legislative commission on the "inheritance package" of laws. Recommendations were presented by organizations who have been working in the area of women's property rights for some time, monitoring court cases, notary practice, municipal developments, etc. Also attending as panelists were two members of the parliamentary legislative commission responsible for reviewing the draft legislation. More than 100 people took part, representing government bodies and civil society organizations.

BIRN provided live streaming of the conference and produced a TV show on the subject.

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

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#### **PUBLIC INFORMATION PRODUCED FOR CITIZENS ON REGISTERING**

**PROPERTY.** During this Quarter PRP, in close cooperation with the Viti/Vitina Municipal Cadastral Office (MCO), produced legal information products for citizens on the basis of that research and analysis that describe the steps, fees and documents required for registering property rights in three scenarios: arising from (1) inheritance; (2) a court decision; and (3) a purchase and sale. These information products will be used to develop clear information for citizens on how to register property; and to assist staff of MCO and CSO staff to provide guidance to citizens.

PRP is distributing the printed version of the information brochures to its partner municipalities Viti/Vitina, Shtërpçë/Štrpce and Dragash/Dragaš. The brochures will also be distributed to other institutions such as courts, banks and religious councils, when agreement with them has been reached.

PRP will promote these brochures in other municipalities and MCO's throughout Kosovo.

**LAUNCH EVENT IN VITI/NA TO UNVEIL PUBLIC INFORMATION BROCHURES.**

PRP and Viti/Vitina Municipality held the event to present and promote the legal information brochures for citizens described above. The event itself was held in the Municipal House of Culture and featured remarks by Mayor Haliti and PRP. At the same time, PRP set up a tent outside where citizens could receive the brochures and other relevant information. The tent generated a lot of interest and resulted in many visits by citizens.

**RECOMMENDATIONS PRESENTED TO MUNICIPAL OFFICIALS FOR IMPROVING CITIZEN SERVICES.**

During this Quarter PRP completed its identification of matters that need to be addressed at the national and local levels to make the registration process more efficient and straightforward. PRP met with the Mayor and Geodesy Director of Viti/na Municipality to present PRP's findings from its analysis of the property registration process and recommendations to make the registration process an easier, quicker and less costly. The Mayor was very receptive to PRP's recommendations, and as noted above, PRP is moving forward with a number of initiatives that were discussed.

**INITIATIVE TO HELP SECURE MUNICIPAL CADASTRAL ARCHIVES FROM DAMAGE OR LOSS.**

The cadastral archives of Viti/na municipality are vulnerable to damage or loss. During this Quarter PRP worked closely with MCO offices to introduce measures for safeguarding the archives. PRP made site visits to Viti/na and conducted extensive market and other research on the technical options available. Using this information PRP issued a Request for Quotation (RFQ) to solicit bids for providing and installing the equipment necessary to safeguard the archives. PRP is currently proceeding with this procurement.

# PROJECT ACTIVITIES

## OBJECTIVE 1: BETTER COORDINATION AND POLICY PRIORITIES

### ACTIVITY 1.1: SUPPORTING THE DEVELOPMENT OF A NATIONAL STRATEGY ON PROPERTY RIGHTS

*[Note that the Government of Kosovo adopted the National Strategy on Property Rights on January 18, 2017, the culmination of an intensive and comprehensive 19-month process generating over 150 pages of legal research and analysis and including over 23 working sessions in which over 48 stakeholders took part.*

*EU experts praised the inclusiveness and systematic approach of the process to develop the National Strategy and cited it as a model to be applied in future EU projects in Kosovo and in the region.*

*The National Strategy as adopted includes an Action Plan that calls for the development of over 30 legislative initiatives, encompassing laws and sub-legal acts, to implement the National Strategy, as well as additional measures to improve the effectiveness of the property rights regime.*

*PRP's activities to support the development of implementing legislation for the National Strategy are described below in the section, "Activity 1.2: Support Development of a Legal Framework that Affords Citizens with Clear, Equitable and Enforceable Property Rights."*

### ACTIVITY 1.2: SUPPORT DEVELOPMENT OF A LEGAL FRAMEWORK THAT AFFORDS CITIZENS WITH CLEAR, EQUITABLE AND ENFORCEABLE PROPERTY RIGHTS

During this Quarter PRP actively supported the drafting of legislation to implement the National Strategy, and described below:

#### **"Inheritance Package" of Legislation**

In the previous Quarter, the GoK approved and sent to the Parliament the package of draft legislation designed to improve inheritance proceedings and bolster women's right to inherit. The package includes a Draft Law on Notary, Draft Law on Inheritance, and Draft Law on Non-Contested Procedure Finalized and Submitted to GoK.

During this Quarter, PRP, at the request of the MoJ (Mr. Ardian Bajraktari, Senior Legal Advisor, and Mr. Baki Gimolli, Senior Legal Advisor) supported the review of the draft legislation by the Parliamentary working group formed for this purpose. In making this request, the MoJ noted the value of PRP's assistance in explaining the importance and rationale of the draft legislation to the deputies. (The MoJ also reported that the Chamber of Notaries had begun lobbying members of Parliament against the proposed changes to the package of laws, apparently objecting to the increased responsibilities the law imposes on notaries when they handle non-contested inheritance proceedings.)

PRP accordingly joined the MoJ in attending regularly the sessions and hearings of the Parliamentary working group reviewing the inheritance package of legislation. When in the first session a representative of the Kosovo Chamber of Notaries presented newly received comments from the International Union of Notaries and the Council of Notaries of the European Union concerning provisions in the draft law related to (1) having notaries register with the Kosovo Business Registration Agency; and (2) certain entrance requirements for the profession, Deputies in the Commission Working Group requested PRP directly to provide its own assessment of the comments described above. PRP provided its findings on EU practice with respect to these issues this week, in a written memorandum. PRP also forwarded to the Deputies of the Working Group its

previous research on the practice of EU member states with respect to notaries, which Deputies often cited at the working session.

Parliament did not complete its review of the legislation owing to the call for new elections.

### **Draft Law on Cadastre**

PRP, in close coordination with USAID Partnerships for Development (PFD), reviewed and developed proposed revisions to the Draft Law on Cadastre of Immovable Property. The draft was developed in closed sessions by the Kosovo Cadastral Agency, and the KCA draft fails to reflect important findings and recommendations from the National Strategy. Because of the importance of the law, and its need for careful revision, PRP requested the Ministry of Environment and Spatial Planning (MESP), and MESP agreed, to extend the period provided for comment by 10 additional work days. PRP and PFD completed their proposed revisions and submitted them to MESP within the deadline.

### **Law on Construction**

The Minister of MESP signed three Administrative Instructions under the Law on Construction to which PRP made significant contributions. These AIs revised earlier instructions to include more buildings as "low risk," triggering simplified procedures for permitting and inspections of the low risk constructions. These reforms implement the National Strategy objective to promote productive use of immovable property to fuel economic growth through further streamlining of construction permitting procedures. The AIs are posted on the MESP website. They are:

- Administrative Instruction 04/2017 on the categorization of construction works;
- Administrative Instruction 04/2017 on setting procedures for submission and review of Application for terms of constructions, construction permits and demolition permits for category I and II of constructions;
- Administrative Instruction 04/2017 for inspection supervision and procedures for issuing the occupancy certificate.

PRP also worked with the MESP Department of Spatial Planning, Construction and Housing to amend the AI on Construction Permit Fees, particularly related to allowing municipalities to include only cost-recovery amounts for inspections if they offer inspection services, thereby lowering permit fees.

In addition, PRP completed and provided to MESP its research memo on "Temporary Construction Permits," which illustrates the interplay between spatial planning and property rights. PRP began working with MESP to develop corresponding revisions to the Administrative Instruction for Construction Permit Fees and Infrastructure Charges.

### **Draft Law on Treatment of Constructions without a Permit**

PRP worked closely with USAID PFD to make final changes to an article affecting in the law property rights, after which the draft was finalized and sent to the Ministry of Finance for a Budgetary Impact Assessment.

### **Draft Law on Property and Other Real Rights**

PRP played a lead role in developing with the MoJ the Concept Document for revisions to this law and supported the work of the working group formed by the MoJ. The Working Group comprises representatives of the line ministries and Agencies for whom this legislation is most relevant. These include the Ministry of Agriculture, the Privatization Agency, and the Ministry for Local Government Administration, as well as the MoJ and PRP.

PRP ensured that the Concept Document reflects the recommendations of National Strategy for Property Rights: converting 99-year-long user rights to outright private ownership; converting socially owned construction land to private property; eliminating the Yugoslav legacy, “construction land”; creating the legislative basis for foreigners to own real property in Kosovo; and giving consideration to customary rights as a type of property right.

In parallel, PRP supported the MoJ in developing the first draft of the revised Law on Property and Other Real Rights.

### **Draft Law on Construction Land**

As reported previously, the GoK has approved the Concept Document on Construction Land, which PRP helped draft in accordance with the policy directions set out in the National Strategy. In this Quarter, work began on drafting the draft Law on Construction Land. To further this effort, PRP supported discussions between MESP and the MoJ on the possibility of having MESP take the lead role in drafting this draft law.

In addition, a team of PRP and MESP experts organized meetings with municipalities to fully understand the property rights issues they face during construction permitting and spatial planning and to analyze issues surrounding *de facto* expropriation, all of which bear on the draft Law on Construction Land. Participating in these meetings were representatives of MESP, USAID PRP, USAID PFD, officials of the Pristina Municipal Department for Planning and the municipality of Mitrovicë/Kosovska Mitrovica.

### **Draft Law on Condominiums**

MESP has asked PRP to support the drafting the Concept Document for the Law on Condominiums. MESP has not initiated that work yet.

### **Draft Law on the Sale of Apartments with a Tenure Right**

PRP reviewed the initial draft Concept Document for amendments to this law and provided comments.

### **Draft Law on Property Tax**

The Ministry of Finance has revised its draft Law on Property Tax to exempt property owners from property tax obligations for the period of time during which the owners did not have access to the property, in response to concerns that the draft law failed to address issues confronting Displaced Persons. The concerns were raised jointly by the OSCE, the US Embassy, USAID PFD and PRP. This revision reflects a recommendation set out in the National Strategy.

### **Draft Law on Allocation for Use and Exchange of Immovable Municipal Property**

The GoK approved the Concept Document for this draft law, with PRP providing comments to ensure that the approach taken was consistent with the policy direction set in the National Strategy on Property Rights. The Concept Document proposes changes to current law to clarify the procedures and the allocation of administrative authority approval for municipalities to use and exchange municipal land. The approval of this Concept Document also prepares the way for organizing an event with the Ministry for Local Government Administration to discuss with Mayors property rights challenges at the local level (see below). PRP will now support the process of drafting the new law.

### **Draft Law on Contested Procedure**

The MoJ Legal Office has requested PRP to assist in developing the Concept Document for revisions to the Law on Contested Procedure. PRP has engaged an STTA expert on civil procedure law who began this work by conducting a comparative analysis of Kosovo law and practice with best international practice. The Concept Document will be informed by PRP's findings from its case flow management reform activities.

### **Draft Law on the Special Chamber of the Supreme Court**

The MoJ has requested PRP to assist in the development of a Concept Document for an amendment to the Law on the Special Chamber of the Supreme Court (Note: the Special Chamber has jurisdiction over disputes arising out of privatization.) PRP has proposed to conduct research and analysis on the Special Chamber prior to developing the Concept Document, and the MoJ has agreed. To date the MoJ has convened one meeting of the working group.

### **The Law on the Kosovo Property Comparison and Verification Agency**

The Legal Office of the Office of Prime Minister has requested PRP's guidance on draft Administration Instructions under the law.

### **De Facto Expropriation**

PRP prepared a research memo for MESP on *de facto* expropriation (e.g. regulatory takings), which has informed the development of a draft Concept Document to address the issue. This Concept Document explores the basis of compensation under Kosovo law and the European Convention on Human Rights, and provides comparisons with treatment of the issue in other jurisdictions.

### **Hiring Additional Experts to Support the Development of Implementing Legislation**

During this Quarter PRP carried out and completed a multi-step hiring process to field additional local experts. The experts will work as a team, with PRP, to support the institutional stakeholders responsible for drafting the numerous legal acts required to implement the National Strategy. The experts will also promote close coordination and collaboration across stakeholders, to ensure that legislation produced creates a harmonious legal framework and to secure the support and engagement of all stakeholders for whom each drafted legal act is relevant.

Close inter-ministerial collaboration is crucial to this initiative for two reasons: (1) the legislation required will address issues that touch on the authority of numerous GoK institutions. These institutions must have a voice and role in the development of the legislation, in order to attain their general consensus and support; (2) the legislation required must address issues of a cross-cutting nature that impact many current legal acts. The new legislation will require that all other relevant legislation be brought into conformity.

Day to day tasks to be performed by the Experts include conducting research and producing analysis to support the legislative drafting process; reviewing draft legislation produced by ministry staff and providing constructive feedback to improve quality; providing strategic planning assistance and helping to organize multi-institutional working sessions, gathering comments from stakeholders, and providing logistical support as needed to keep the legislative drafting process on track.

To field qualified experts, PRP conducted the following hiring process: PRP advertised the positions in local print media and popular web portals. PRP received 27 applications for legislative experts and 26 applications for the position of implementation facilitator.

PRP reviewed the applications and created short lists from each group – 10 candidates for the legislative drafting positions and six candidates for the implementation facilitator position. PRP

interviewed each candidate from the short lists. The top seven candidates for legislative drafting positions were given a written exam prepared and administered by PRP.

On the basis of the written exam PRP identified four candidates that PRP proposes to hire as legislative drafting experts. With the dissolution of Parliament and the calling of national elections to form a new government, it has been decided, in consultation with USAID, that PRP would engage two of the experts while the caretaker government is in place, with the prospect of hiring the additional two experts after a new government has been formed that supports the implementation of the National Strategy. As for the position of implementation facilitator, PRP has suspended that process owing to the changed circumstances.

## **Conducting Public Outreach on the National Strategy and Promoting Media Coverage**

### **PRP Organizes Two One-Day Workshops for University Students on the National Strategy**

The purpose of the workshops was to inform Kosovo students and youth about Kosovo's property rights challenges and the policy and legal interventions envisioned in the National Strategy on Property Rights to address those challenges.

At each workshop the participants were organized into four groups, and each group received four hours of instruction on the five subject areas of the National Strategy. Experts who had taken an active part in developing the National Strategy provided the instruction, with each lecturer rotating through the four groups in turn.



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PRP Objective | Lead and National Strategy on Property Rights expert, Xhevat Azemi, presenting to university students of law and social sciences on the importance of strengthening the legal framework in order to ensure clear and effective property rights.

The first workshop was held on a Saturday, May 20, 2017, and was attended by over 120 students. (PRP set a maximum attendance to 120 in order for the instruction sessions to be interactive.) The second one-day workshop took place on Saturday, June 17, 2017, and was also well attended (by 76 university students), despite the fact that the workshop took place during Ramadan and the students' exam periods. The participant profile was diverse, representing the majority of major universities in Kosovo, with law students constituting a majority.

PRP distributed copies of the National Strategy and a brochure for the public on the National Strategy, in Albanian, Serbian and English.

The workshops were very well received by the participants. The first workshop received a high score of 4.9 out of 5.0, and the second received a score of 4.75 out 5.00.

PRP will consider holding more such workshops throughout Kosovo if it determines that there is sufficient interest.

### **PRP Planning Conference on National Strategy for Municipal Stakeholders with the Ministry of Local Government Administration**

PRP initiated preliminary discussions with the MLGA to begin concrete planning for this event, which would focus discussion on the issues addressed in the National Strategy that are of direct relevance to municipalities. Owing to the dissolution of Parliament and the calling of national elections, plans for this conference have been postponed until autumn.

## **Cooperation and Coordination with Other Stakeholders**

### **Meeting Held with UN FAO Project, “Support to Improved Land Consolidation Methodology”**

The meeting with Mr. Morten Hartvigsen, the manager of the project, and project experts, Niels Otto Haldrup and Afrim Sharku, focused on informality in the immovable property sector in Kosovo (e.g., from delayed inheritance and non-formal transactions) and the challenges that this creates for land regulation projects, and land consolidation in particular.

### **PRP Invited to UN FAO Seminar on Land Consolidation**

The seminar featured a briefing by PRP on the National Strategy on Property Rights and its importance in strengthening land rights in Kosovo. The FAO particularly stressed the importance of addressing informality in the land sector, noting that updating cadastral records to mirror current title holders is a precondition for effective consolidation of fragmented land. The National Strategy foresees measures both to update cadastral records and use land effectively through land consolidation efforts.

### **Support to the Legal Office of the Office of Prime Minister**

At the request of the Legal Office OPM PRP reviewed and helped draft a legal response to the Ministry of Internal Affairs – Kosovo Police concerning the allocation for use of Kosovo state property that was previously registered in the name of the Yugoslav Army and then administered by UNMIK after 1999.

### **Supporting MESP in Organizing a Meeting on Construction Land Issues.**

At PRP’s suggestion and with its support, MESP organized a discussion session with municipalities and other stakeholders. Attending the meeting were representatives of MESP, PRP, USAID PFD, officials of the Department for Planning of the municipality of Prishtinë/Pristina, and officials from the municipality of Mitrovicë/Kosovska Mitrovica.

### **Coordinating Legislative Drafting with the EU Civil Code Project**

PRP held periodic coordination meetings with the Director and lead experts of the “Support of Civil Code Phase 2” Project, and PRP has urged SCCP2 to take part in working groups formed to implement the National Strategy and pledge to keep the project informed of developments. PRP has also met with members of the Support of the Civil Code Phase 2 project to acquaint them with PRP’s various outreach activities and provided guidance on their communications activities. PRP noted its readiness to conduct outreach activities jointly with SCCP2 as opportunities arise.

PRP is looking forward to continuing with SCCP2 the close cooperation PRP enjoyed with the predecessor project.

### **Assisting in Determining the Impact of Property-Related Reforms on World Bank Doing Business Indicators**

PRP assisted USAID PFD in connection with its *Doing Business Reform* Memo, concerning the impact of recent reforms on Kosovo’s score under the *Doing Business* indicator, “Dealing with Construction Permits.”

### ***Meeting of Working Group for the “Skopje Process”***

PRP met with members of the working group in order to review the consistency of the National Strategy with the recommendations of the Inter-institutional initiative on Durable Solutions for Displaced Persons from Kosovo, Technical Working Group, Property Rights, following the conference in Skopje (the “Skopje Process”).

### ***Meeting with Millennium Challenge Corporation Team to Discuss Prospective Activities***

In connection with the possible inclusion of Kosovo in the MCC’s Threshold Program, the MCC team solicited PRP’s views on the viability of the MCC’s supporting the Court Management Information System that is being developed for the courts; and PRP raised for discussion potential opportunities for working with the KCA to incorporate the cadastral archives into the electronic database (subject to whether the World Bank would continue to support the KCA). PRP also provided the team with background materials from PRP’s work.

### ***Facilitating Cooperation between MESP and the Municipality of Prishtinë/Priština to Improve the Use of Development Agreements for Municipal Infrastructure***

Development agreements allow permit applicants and the municipality to agree on what infrastructure is needed to develop a particular parcel. The parties then have to agree how the infrastructure will be built, who will build it, and who will pay for it. Following meetings and discussions on the topic with MESP, Prishtinë/Priština Municipality has agreed to take concrete steps to move forward to use development agreements, which will assist in further streamlining permitting procedures and bringing greater predictability to the development of land.

### ***Making EU Valuation Standards Available in Albanian***

PRP responded to a request from the Kosovo Valuers Association (for property valuation) to support the translation into Albanian of European valuation standards. The Board of the Association, which includes representatives from the Ministry of Finance and MESP, has endorsed this request and has pledged to support the implementation of the standards in Kosovo. Introducing European valuation standards in Kosovo is consistent with the National Strategy, which cites problems with current valuation practice in Kosovo, and also supports Kosovo's approximation to the EU.

Translation has commenced and will be completed in July. The Association is responsible for ensuring that the translation is technically sound, and two of its experts are providing ongoing guidance on the translation.

PRP will also support the Association in acquiring the right to use the Serbian translation of the standards, which is available in Serbia.

### ***Exploring Avenues for Cooperation with the Kosovo Property Comparison and Verification Agency***

The KPCVA has notified PRP that the KPCVA will start designing a compensation scheme in order to implement decisions of the Housing and Property Directorate (HPD) on “A” and “C” claimants. (Note: the HPD was a predecessor organization of the KPCVA and was administered by UN Habitat during the period 1999-2001.) Only recently has the KPCVA been able to secure €300,000 in funding from the GoK to pay a portion of compensation and address the claims of both the Kosovo Albanians and Kosovo Serbs who have unresolved property rights claims. The KPCVA is expected to develop an Administrative Instruction on the compensation scheme criteria in order to begin implementation of the HPD decisions. PRP will explore further the possibility of supporting the agency on this NSPR-related matter.

### ***Planning Workshop on National Strategy for Municipal Gender Officers***

PRP has commenced planning an informational workshop on the National Strategy for MGOs. The workshop is tentatively planned for July 2017.

### ***PRP Hosting Summer Extern from Ohio Northern University***

PRP is continuing its cooperation with the JD/LLM program of Ohio Northern University and has agreed to host Ms. Samantha Valent as an extern over the months of June and July. PRP will have Ms. Valent perform research on a number of legal issues relevant for PRP reform initiatives, and PRP will also involve Ms. Valent in its program events and activities to ensure that she becomes well acquainted with Kosovo and with international development work.

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

### ACTIVITY 2.1: ASSIST KJC AND STAKEHOLDERS TO IDENTIFY GAPS IN LAW, PROCEDURE AND COURT PRACTICES THAT CONSTRAIN EFFICIENT RESOLUTION OF PROPERTY CLAIMS AND DISPUTES AND PROTECTION OF THE PROPERTY RIGHTS OF WOMEN AND MEMBERS OF NON-MAJORITY COMMUNITIES

#### ***Developing “A Practical Guide for Improving Caseflow Management of Property Rights Cases and Other Civil Cases”***

During this Quarter PRP developed its first draft of the Practical Guide, which will help judges and court staff to understand and apply the caseflow management practices that PRP is introducing in the CoMs. The Practical Guide will have a quick-reference format and will provide step-by-step instructions on the improved procedures, along with broader guidelines for judges based on international best practice that explain the modern principles and approaches that serve as the basis for the improved procedures. The Practical Guide will also describe the respective duties and responsibilities of the court president, rank-and-file judges, court administrators, Case Management Office personnel and legal associates in applying the new procedures.

#### ***Law on Special Chamber of the Supreme Court and Law on Contested Procedure***

The work to draft these two laws, as described under Objective 1 above, will be informed by PRP’s findings and recommendations developed in connection with its work in the courts. PRP strongly recommends that a straightforward functional review of case management be carried out in the Special Chamber to inform the development of that legislation. As concerns the Law on Contested Procedure, PRP’s empirical research in its CoMs have enabled PRP to develop specific recommendations for revisions to that Law to address many of the problems identified. As noted above, PRP has engaged STTA to assist in supporting the development of the Concept Document for the draft Law on Contested Procedure.

### ACTIVITY 2.2: IMPROVE COURT PROCEDURES, GUIDELINES AND LAWS AND IMPLEMENT REFORMS IN THE COURTS OF MERIT TO MORE EFFICIENTLY RESOLVE PROPERTY CLAIMS AND DISPUTES

In the previous Quarter, PRP secured the endorsement of the KJC for PRP to introduce improved caseflow management practices in PRP’s three pilot courts (the Basic Courts of Pejë/Peć, Ferizaj/ Uroševac and Gjilan/Gnjilane): the Courts of Merit (CoMs). PRP has developed these practices on the basis of empirical findings from PRP’s comprehensive research and analysis of caseflow management in the CoMs.

During this Quarter, PRP continued to apply new caseflow management practices in the three CoMs and to monitor the results.

#### ***Applying Modern Caseflow Management Methods in the Courts of Merit***

##### **Shifting the administrative work from Judges to Judicial Associates to Expedite Caseflow.**

With PRP’s Records Management Specialists (RMS’s) assuming the role of reconstructed Legal Associates, PRP has introduced practices to increase the responsibilities of Legal Associates in drafting decision, judgments and other directive motions to be issued by the judge’s chamber. By the end of this Quarter PRP’s RMS’s have taken a total of **1,739 decisions since mid-December 2016**. These include 377 decisions to dispose the case, and 1,362 procedural actions related to the

#### **PRP Expedites Caseflow**

- 1,739 decisions in 6.5 months.
- 10 decisions per day on average.
- Newly hired PRP Legal Associates embedded in courts create a 1:2 ratio of Legal Associates to Judges.

first and second stage of a case (answering the claim, correcting the claim, exempting from court fees, etc.). On average they have drafted 10 decisions per day, including 2 dispositions per day (taking in account the holidays and annual vacation days that were taken by RMS's).

**Hiring Additional Legal Associates to Expand These Reforms in the Civil Divisions.** Based on the successes achieved using the RMS's as described above, during this Quarter PRP undertook and completed the recruitment of an additional six Legal Associates, to make it possible to create a ratio of one Legal Associate for every two judges in the Civil Divisions of the CoMs and to engage all of those judges in applying the improved caseflow management practices. The new Legal Associates starting their work on June 12 and have adapted to their duties very smoothly.

For the recruitment process PRP advertised these positions in *Koha Ditore*, on job portals, and on the CoMs' web portals. A total of 40 applications were received, out of which 21 met the objective professional requirements. Of these, five applications were received from applicants living outside of the CoM localities, and since PRP gave priority to hiring persons living in proximity to the CoMs, these five applications were placed in reserve.

For the remaining 16 candidates PRP prepared a written test for them that was designed to determine the candidates' relevant skills and knowledge. At that point, two candidates withdrew their applications and the remaining 14 candidates took the written test on an anonymous basis, so that the graders of the test did not know which test was whose. On the basis of the results of the written exam, PRP identified 11 candidates for interviews.

The interviews were conducted by a combined panel of PRP representatives and three judges in each of the three CoMs. In Ferizaj/Uroševac Basic Court, three candidates were interviewed, while in each of Gjilan/Gnjilane and Pejë/Peć Basic Courts, four candidates were reviewed.

Following completion of the interviews, PRP reviewed the results from the entire process and made final decisions on the candidates to be hired.

**Hiring Interns to Support Reforms and Keep Empirical Records.** During this Quarter PRP hired five interns to support the RMS's/Legal Associates and to monitor the progress of cases and keep statistics. (This was work previously carried out by the RMS's before they assumed duties of legal associates.) The interns consist of three Albanians and two Serbs, reflecting PRP's desire to support the integration of Serbs in the judicial system and promote better inter-ethnic relations.

For the recruitment process PRP advertised these positions in *Koha Ditore*, and on job portals. A total of 8 applications were received. Of these, one applicant withdrew and another was rejected because the applicant lived far from the CoMs. PRP interviewed the remained six applicant, including two from Shtërpce/Štrpce of Serbian ethnicity. Each interviews was conducted in the corresponding CoM – three candidates were interviewed at the Ferizaj/Uroševac Basic Court; two were interviewed in the Gjilan/Gnjilane Basic Court; and one was interviewed in the Pejë/Peć Basic Court. The interviews focused on the following issues: (1) How much does the applicant know about property rights legislation? (2) What does the applicant believe are the chief duties of an intern? (3) How much experience does the applicant have with Microsoft Excel? (4) What does the applicant expect to accomplish in this internship program?

On the basis of the results of these interviews PRP offered internship positions to five of the six applicants.

**Hands-On Working Sessions in Pilot Courts with Presidents and Heads of Civil Divisions.** During this Quarter PRP STTA Judge Joseph Traficanti continued working closely with judges and case management staff to reinforce their understanding of and support for caseflow management reforms. This round of mentoring followed an earlier round of meetings and trainings for the Court Presidents at the Courts of Merit conducted in the previous Quarter, in March 2017.

Judge Traficanti conducted a joint half-day training on the role of leadership in improving the adjudication process. The training was attended by a total of 12 attendees from each of the CoMs,

including Court Presidents, Court Administrators, Heads of Civil Divisions and Heads of Case Management Offices (CMOs). During this training, PRP presented its action plan for implementing PRP's recommendations for improving case management of property cases and civil cases, including the integration of additional legal associates. During the training Judge Traficanti described the importance of **scheduling orders** in keeping cases moving forward and introduced a draft template for the judges to review. Using scheduling orders will help judges manage their cases more effectively and prevent unnecessary delays. Judge Traficanti also met and worked with judges on an individual basis on site in the CoMs.

***Engaging the Courts' Case Management Offices in Caseflow Management.*** PRP has continued working closely with the CoMs Case Management Office staff to increase their engagement in caseflow management. As previously reported PRP has found that many cases are carried on court dockets for considerable periods of time before ultimately being dismissed on procedural grounds. PRP, together with Court Presidents, Civil Judges and the CMO staff, developed **administrative guidelines for case filing**.

The case filing guideline will enable CMO staff to identify at the time of filing any defects in the filed claim (e.g., missing information, missing documents, etc.) and return the claim for correction to the filing party. This will prevent defective claims from being accepted and placed on court dockets, only to be dismissed months or years later.

PRP has secured the agreement of the Court Presidents and Civil Judges to continue supporting the CMO staff with legal technical expertise. In addition, Judge Traficanti conducted a brief training for CMO staff on how their assuming a proactive role will directly increase their court's efficiency and effectiveness.

***Dissemination of Decisions of Court of Appeals.*** During this Quarter PRP continued to disseminate each week four or five decisions of the Court of Appeals to civil judges of the CoMs. This practice is giving the civil judges a better understanding of the judicial practice of the Court of Appeals.

PRP has initiated this practice in order to support the unification of judicial practice. Judges have responded very positively to this initiative.

### ***Initiative to Make Available to Kosovo Courts and Policymakers the Judicial Practice of the European Court of Human Rights in the Property Rights Sphere***

**Background:** The Kosovo Constitution provides in Article 22 that, among other things, the European Convention on Human Rights and Fundamental Freedoms and Its Protocols (the Convention) are directly applicable in Kosovo and shall have priority over laws and acts of Kosovo institutions. In connection with property rights, it should be noted that the Protocol of the Convention guarantees protection of private property rights (Article I, Protection of Property).

#### **PRP Tools in Process 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*

Furthermore, Article 53 of the Kosovo Constitution provides that human rights and fundamental freedoms are to be interpreted in a manner that is consistent with the decisions of the European Court of Human Rights (ECHR).

Thus, decisions of the ECHR are binding on Kosovo courts and lawmakers and Kosovo courts are bound to adjudicate cases, including cases involving property rights, in accordance with the ECHR. At the same time, most ECHR decisions are not available in Albanian. (Only decisions involving Albania or its citizens are available in the Albanian language.) As a consequence, a body of law that is of central importance and directly applicable in

Kosovo that concerns human rights, including property rights, is effectively unavailable to most judges and policymakers in Kosovo.

As reported previously, PRP has developed an initiative to produce summaries in Albanian of at least 120 ECHR decisions that address property rights issues, in order to make the practice of the ECHR in this area available to judges and others in Kosovo and enable them to apply that practice in their own adjudication of property rights cases.

The work is overseen by three local STTA experts who are to work with 16 law student interns to produce the case summaries. The STTA experts are well qualified to provide instruction to the law students and oversee their work.

**During this Quarter** the interns received periodic training from the instructors and commenced their work. The trainings were designed to create consistency in the summaries and ensure the highest level of accuracy.

To date the interns have produced a total of **112 case summaries**. These cases include the “landmark cases,” i.e., the early decisions issued by the ECHR that laid the basis for future decisions, to which the court refers in developing further its jurisprudence on property rights.

It is expected that all case summaries will be in final substantive form by the end of July.

**Roundtable with Judge Traficanti.** In addition during this Quarter PRP organized a roundtable for the Interns with Judge Traficanti, to allow them to discuss a variety of issues related to the US judicial system. Discussion focused on judicial independence and the separation of powers, the jury system, court administration and case assignment, and challenges facing the judge. The event was well attended and discussion was lively.

### ***PRP Exchanges Experience with EU-Funded NGO in Gračanica/Gracanicë that Provides Legal Aid for DP's***

**Background:** The cordial introductory meeting with representatives of the EU-funded “Promotion & Protection of Property Rights of IDPs, Refugees and Returnees upon Readmission Agreements” made it clear that each project can benefit from the other’s information and experience. The NGO promised to provide PRP with information on cases involving DPs in PRP’s CoMs, where PRP is seeking to obtain the courts’ agreement to prioritize such cases and will also explore possibilities for waiving court fees for DPs. For its part, PRP intends to discuss with the project’s practicing lawyers the challenges they face in such cases; and to involve the lawyers in working groups when relevant legislation is developed.

**During this Quarter** PRP received some information from the project on pending cases involving DPs in PRP’s Courts of Merit. PRP is expecting to receive further information.

### ***Coordination with USAID JSSP***

During this Quarter PRP was in regular contact with USAID JSSP – principally with the JSSP Court Administration Advisor John Ferry, whom it kept informed of PRP’s caseload management activities in the CoMs and PRP’s recruitment of additional legal associates. PRP also had separate meetings with JSSP STTA experts Nail Regan and US Judge Alan Deehr, where PRP discussed its work and lessons learned.

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

### ACTIVITY 3.1: ASSIST DEVELOPMENT OF SUBSTANTIVE AND PROCEDURAL LAW TO BOLSTER AND SAFEGUARD THE ABILITY OF WOMEN TO EXERCISE THEIR PROPERTY RIGHTS FREELY AND EQUITABLY

PRP's work under this activity is described under Objective 1. Most notably, the "Inheritance Package" of draft legislation that was approved by the GoK and sent to Parliament this Quarter provides for procedural safeguards to strengthen women's ability to exercise their property rights freely and deliberately.

### ACTIVITY 3.2: CHANGE SOCIAL ATTITUDES AND BEHAVIORS CONCERNING WOMEN'S PROPERTY RIGHTS

#### Media and Ad Campaigns Continue on Equal Property Rights

#### New Series of Public Service Announcements on Equal Property Rights Developed and Start Airing

##### Spring 2017 PSAs

"Parents" (Albanian)

<https://www.youtube.com/watch?v=5fyCMBrtQtA&t=4s>

"Parents" (Serbian)

<https://www.youtube.com/watch?v=t7uxlXiV5vA>

"Daughters" (Albanian)

<https://www.youtube.com/watch?v=N5Zu2jr4UW0>

"Daughters" (Serbian)

<https://www.youtube.com/watch?v=srIVe5X0iLA>

"Sons & Brothers" (Albanian)

<https://www.youtube.com/watch?v=f8Kd7gIFfg>

"Sons & Brothers" (Serbian)

<https://www.youtube.com/watch?v=Lys6SPkyVmA>

During this Quarter PRP's latest series of PSAs on equal property rights for PRP's campaign, *For Our Common Good*, began airing on Kosovo radio and TV, in social media, and on USAID's YouTube page. PRP completed production in the previous Quarter. The PSAs are designed to evoke people's memories of happy moments with their families and prompt reflection on the importance of treating one's children (sons and daughters), and one's siblings (brothers and sisters) equally, regardless of gender.

There are three different PSAs, each designed for a separate target groups (parents, sons and daughters). The PSAs are inter-related, and portray the story of the same family from three different perspectives. There is a set of three

PSAs in Albanian and a separate set in Serbian (using actors who are native speakers in each set. All PSAs end with the message "Equal Love = Equal Rights" and the campaign slogan: Kosovo citizens for equal property rights.

Each PSA was shown for a period of 1 month (initially) on national TV Stations (3 Albanian, 1 Serb) and local TV stations (6 Albanian, 3 Serb), covering most regions of Kosovo. Airing began on April 3, 2017. There is also a version of the PSAs for radio broadcast. During this Quarter all three PSAs in the new series were aired and are being broadcast as contemplated in PRP's media dissemination plan.



#### New Billboard Campaign to Complement Media Campaign

During each month of this Quarter PRP unveiled new billboards to reinforce the message of equal property rights throughout Kosovo. The billboards were displayed in 11 municipalities. The billboards placed in Serbian communities were in Serbian, and the rest were in Albanian (and 1 of them, in Prishtinë/Pristina, was in English.

The billboards also displayed the campaign tagline: "Kosovo citizens for equal property rights," and "#ForOurCommonGood" (which is also displayed in the closing scene of the media PSAs), to generate social media interaction.

The April billboards displayed the actors from the new round of PSAs, to reinforce the media campaign, which also started airing that same month. Three different still shots were used from the Albanian PSAs, and two from the Serbian PSAs. The billboards displayed in Serbian-majority municipalities featured Serbian actors (from the Serbian PSAs) were, and the ones displayed in the other municipalities featured the Albanian actors (from the Albanian PSAs).

The May billboards displayed the message "Equal Love = Equal Rights, for property rights", in a blank, branded space, accompanied by the campaign hashtag (#ForOurCommonGood). (The billboards in municipalities with a Serb majority displayed the message in Serbian, and elsewhere in Albanian).

The billboards displayed in June featured children's paintings on themes of the "Grandpa's Lap" puppet show. PRP first exhibited the paintings at its Launch Event of the second phase of the campaign (See below). Three different paintings have been selected for the billboards.

### **Public Outreach Activities on Equal Property Rights**

#### **PRP Holds Event to Launch the Second Phase of Campaign Activities, Using Arts to Convey the Message**

PI COMMUNICATIONS / USAID PRP



The exhibition of photos submitted for a PRP-supported photography contest on the theme of equal property rights. This image of a brother and sister in a field was produced by Sovran Nrecaj and would be named the contest winner.

The Launch Event took place on May 11 at the Modelarium of Architecture. Featured were remarks by the USAID Mission Director, who cited findings from PRP's recent National Survey on Property Rights; an appearance by two actors starring in the Serbian version of the new PSAs (father and son), a showing of two of the new PSA on an LED screen (the Albanian and Serbian versions), a performance by the children ballet troupe, "Pirouette," and the announcement of the three winners (3rd, 2nd, and 1st place) of the photography contest, for which photographs on the theme, "Property Rights," were solicited. The three winning photographers received certificates signed by the USAID Mission Director.

In addition, paintings by 35 fourth-graders from the "Gjergj Fishta" elementary school, on the puppet show "Grandpa's Lap" were exhibited, along with nine of the photographs submitted for the contest. The LED screen provided a dynamic backdrop, displaying the message "Equal Love = Equal Rights" sequentially in three languages (English, Albanian, and Serbian) during the event. The photograph that received the top prize was displayed on the LED screen after the winning photograph was announced.

### **Puppet Theater Play, “Grandpa’s Lap,” Returns to “Dodona” Theater in Prishtinë/Pristina**

The puppet theater show was presented in “Dodona” theater on May 3 to around 120 fourth-graders from “Gjergj Fishta” elementary school, along with teachers and the assistant principal (who has been in charge of coordinating with the teachers and PRP). Children came with the souvenir tickets to the show (which PRP had sent to the school in advance, together with the scripts of the play for the teachers). The 4 graders were very attentive and receptive to the message.



The vice principal and teachers of “Gjergj Fishta” elementary school posing in front of paintings their students made which were inspired by PRP-supported puppet theater play, *Grandpa’s Lap*.

PI COMMUNICATION / USAID PRP

PRP and the “Dodona” troupe distributed painting kits to the children as they left the theater. The fourth-graders were asked by their teachers to paint on the topic of the puppet theater show. Teachers were also asked to discuss the message of the show with the children. PRP collected the paintings and exhibited them at the event on May 11.

### **Roundtable in Dragash/Dragaš on Women’s Property Rights**

On April 26, PRP supported a roundtable for women in Dragash/Dragaš that was led and organized by the Dragash/Dragaš Municipal Gender Officer. The roundtable featured (i) a presentation by PRP on the law governing women’s property rights and the opportunities it offers to women, and all citizens, to acquire and use property; and (ii) a discussion led by MGO of Dragash/Dragaš on local traditions and customs. The aim of this event, among other things, was to use it for establishing an informal baseline assessment of the current situation regarding women’s property rights and identify potential local advocates who could be supported in future activities.

Around 38 local women participated in the event. Women discussed these issues openly. Many young women were also present. It was agreed by participants that focus should be placed on bringing this messaging and information to children and youth. The discussions also highlighted the importance of messaging. For example, the phrase “taking the inheritance share” can reinforce the idea that women are taking something that belongs to someone else, i.e., male heirs.

During this event, PRP also showed the PSAs from its campaign, *For Our Common Good (Për Të Mirën Tonë)*.

### **PRP Supports DCM’s Event in Dragash/Dragaš**

The US Embassy Deputy Chief of Mission, Ms. Colleen Hyland, met with local women in Dragash/Dragaš to discuss women’s property rights. Six women from the local community (of different ethnicities) along with the MGO from Dragash/Dragaš Municipality attended the meeting, where they shared their views and concerns regarding property rights. The issues raised were mainly linked to the strong local traditions that affect women’s ability to inherit property; and problems of informality in property rights that have a negative impact on spousal inheritance rights. They indicated the importance of receiving more information on existing legislation such as the AI on Joint Registration of Marital Property. A success story was also mentioned where one of the women participants inherited property from her birth family.

PRP facilitated the discussions, and gave a brief presentation on activities in Dragash/Dragaš in support of women’s property rights.

In her closing remarks, DCM Hyland stated that it is important that women acquire and exercise their property rights as they become economically independent and able to have more role in the decision making in their families and community. However, she said, it also depends on the women themselves to push and support each other in defending their property rights and she called on local women to be more vocal in this regard.

## **PRP Organizes Presentation on Property Rights for High School Students in Shtërpce/Štrpce**



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PRP Objective 3 Lead, Merita Limani, presenting to high school students in Shtërpce/Štrpce municipality on socio-cultural barriers existing in Kosovo which are known to disadvantage women in family discussions regarding property inheritance.

On Tuesday, June 6, 2017, PRP organized a presentation for High School students in the "Kongresi i Manastirit" high school in Firaje, Shtërpce/Štrpce. The presentation focused on the importance of equal property rights and the ongoing legislative reforms of the sector under the National Strategy on Property Rights. Over 60 students attended. The conversation was interactive with very high interest in discussing the students' own understanding and experience with property, including women's ability to exercise property and inheritance rights. PRP also screened its PSAs, which were received with great enthusiasm and support. This event was organized in close cooperation with the Directorate of Education and the Municipal Gender Officer

of Shtërpce/Štrpce Municipality.

PRP, the MGO and Directorate of Education in Shtërpce/Štrpce will also be exploring opportunities to work with high schools in the Serb community along the same lines.

The Deputy Director of Education of Shtërpce/Štrpce Municipality and High School Director of "Kongresi i Manastirit" in Firaje, Shtërpce/Štrpce sent their "Thank you's" to USAID/PRP for the roundtable. They noted that they greatly appreciated the opportunity for high schoolers to learn about equal property rights and the ongoing legal reforms in the sector and expressed their commitment to continue with such cooperation in the future.

### **PRP Gives an Interview for a Documentary on Social Issues, Including Property Rights**

UNMIK, jointly with other UN organizations, is producing a documentary (which will initially be produced as a short documentary). The intention of the documentary is to investigate the link between women, domestic violence, property rights, and justice. Among those interviewed will be victims/survivors, officials in the justice sector, CSOs, international agencies and government institutions. PRP spoke about the issues surrounding the inequality that women experience in exercising their property rights, property rights issues generally, the work that USAID is carrying out through PRP, and why property rights issues are important for Kosovo.

### **PRP's Mid-Term National Survey on Property Rights**

#### **Report Finalized on Survey Findings**

During this Quarter PRP, with its STTA expert, Dr. Sandra Joireman, finalized for publication its Report on results from the mid-term National Survey on Property Rights. PRP plans to formally announce the findings at an event scheduled July 13, 2017.

Findings indicate positive changes in citizens' knowledge of property rights and in their support for women's equal property rights, and also show an increase in women exercising their property rights through inheritance and registration, with an increase in the number of women owning property.

The findings also show that PRP's public information activities and media campaign have reached large segments of Kosovo's population, generating discussion and debate throughout Kosovo society, and likely played a decisive role in prompting the changes described above.

(PRP's second, midcourse National Survey on Property Rights was conducted in all 38 municipalities of Kosovo, including household surveys in North Mitrovica/Mitrovicë, Zvečan/Zvečan, Leposavić/Leposaviq, and Zubin Potok/Zubin Potoku. PRP's subcontractor, UBO Consulting, surveyed 1,500 households, which is the number required to produce a statistically significant and representative sample for all of Kosovo's 38 municipalities. In addition, UBO also conducted 30 in-

depth interviews with key informants on property rights – representatives of civil society organizations, the Government of Kosovo, the local government of Viti/Vitina Municipality and representatives of the Judiciary.)

### ***Animated Video for Social Media on the Results of the Mid-Term Survey***

The animated video will be unveiled at the Visibility Event described below.

### ***Visibility Event Planned to Publicize the Results of the National Survey***

On July 13, 2017, PRP will hold the event to present the Survey findings to the Kosovo public. The event will be held at the Kosovo National Library. The event will feature remarks by USAID, an overview of PRP's communication and outreach activities, and a presentation of the main findings of the survey. An animated video on the results that PRP developed for social media will also be shown.

The event will be followed by an exhibition of PRP's communication products and a visual presentation of its activities. PSAs will be played in the background.

Albanian, Serbian and English versions of the Survey Report will be distributed at the event, along with brochures that summarize salient results, and hard copies of the presentation.

PRP has also produced an article on the survey results, which will be published in around five online portals on the day of the event. The article will feature a link to the animated video on the survey results as well.

PRP will also appear in *Flatra* magazine (the July/August 2017 issue) in print and online with the following products: one of the July billboards, on the first two pages; and the article (mentioned above) and the statistics brochure inside the magazine.

### **ACTIVITY 3.3: BUILD CAPACITY OF ATRC AND CSO'S TO ENABLE THEM TO CARRY OUT ACTIVITIES IN SUPPORT OF WOMEN'S PROPERTY RIGHTS**

PRP is tasked with helping build the institutional capacity of USAID's E4E partner, ATRC, and its sub-grantees. During this Year Three of the E4E program, PRP conducted activities directed at reinforcing their application of an impact- and results-oriented approach in their work.

#### ***Supporting ATRC's and Sub-Grantees' Development of Recommendations on "Inheritance Package" of Draft Legislation for Submission to the Kosovo National Assembly***

PRP and ATRC worked together with the sub-grantees to help them consolidate their (the sub-grantees') recommendations on the "Inheritance Package" of draft legislation, drawing on their own work and experience in the area of women's property rights. ATRC submitted the recommendations to the National Assembly.

To support this process, PRP and ATRC organized a debate where civil society presented recommendations to the parliamentary legislative commission on the "inheritance package" of laws. Recommendations were presented by organizations who have been working in the area of women's property rights for some time, monitoring court cases, notary practice, municipal developments, etc. As a result, they have put concrete recommendations tackling the issues and the challenges that Kosovo women face when seeking their own right to property and inheritance.

The conference took place on April 18 with the following panelists: two members of the parliamentary legislative commission that was responsible for reviewing the draft legislation, the Ombudsman, and representatives of civil society and a law school. More than 100 other participants were present to raise issues to be addressed, including the Kosovo Bar Association, the Forum for Women Judges and Prosecutors, the Agency for Gender Equality, ministries and other agencies and many civil society organizations and lawyers. Civil society organizations also attended the sessions of the Parliamentary Commission Working Group that is reviewing the draft legislation.

Sub-grantees BIRN and POLIS led the other sub-grantees in developing concrete recommendations based on their own findings made during their monitoring and reporting work at the court, notary, cadastral offices and other relevant institutions on matters related to women's property rights. The rest of the sub-grantees provided comments as well.

The members of the assembly expressed appreciation for this initiative.

BIRN, through its web platform *Kallxo.com* platform provided live streaming of the conference. In addition, BIRN produced a TV show *Drejtësia në Kosovë* on civil society's recommendations and reminded the government institutions' responsibility of amending such laws to ensure equal protection in property rights. The TV show can be seen here: <http://kallxo.com/dnk/e-drejta-e-gruas-ne-prone-dhe-ndryshimi-ligjeve/>.

### ***Reviewing CLARD's Results as It Completes Its E4E Sub-Grant***

As part of its regular follow-up meetings with the sub-grantees, PRP joined ATRC to meet with the sub grantee CLARD to discuss their activities in providing legal aid on property rights and inheritance. Although CLARD has completed its sub-grant project CLARD is also part of a Women4Women (W4W) project to provide legal aid to the citizens. During this quarter, they provided legal advice to the citizens of Kaçanik/Kaçanik, with the cooperation and support of the Kaçanik/Kaçanik municipal administration, and to citizens in Dragash/Dragaš Municipality.

### ***PRP Meets with Sub-grantees Women4Women and KCBS to Discuss their Work in Viti/Vitina Municipality***

The two sub-grantees' work is complementary: KCBS is tasked with tacking the ex officio duties of the municipality in connection with inheritance cases, and (as noted above) Women4Women, in cooperation with the sub-grantee CLARD, are providing legal advice to the citizens on property and inheritance cases. W4W is also providing legal advice in Dragash/Dragaš and in Kamenicë/Kosovska Kamenica with CLARD. Since PRP had also some activities in Dragash/Dragaš, PRP and W4W has kept in touch on these activities. And most recently,

KCBS is continuing its work in Gjilan/Gnjilane, Kamenicë/Kosovska Kamenica, and Novobërdë/Novo Brdo, in addition to Viti/Vitina, distributing its posters promoting equal property rights in these four municipalities. In addition, KCBS is promoting its sub-grant activities on social media and networks.

### ***POLIS Finalizes its Report on the Administrative Instruction for Joint Registration of Property.***

PRP provided comments on the report and other promotional materials prepared by POLIS as part of its project. The report presents findings on results arising from this AI as well as on difficulties encountered, and also contains specific recommendations.

### ***PRP Takes Part in Documentary Prepared by Communication for Social Development (CSD)***

The sub-grantee CSD completed its TV documentary on equal property rights, which features an interview with PRP. CSD is planning to organize a final close-out event for its E4E sub-grant, where it will present the documentary.

## **PRP and ATRC Monitor Work of the Active Women of Gjakova (AWGJ)**

AWGJ's door-to-door campaign has shown successes in increasing the number of women who register property, either in their name or as a joint marital property. AWGJ has also started its court monitoring activity, monitoring property inheritance cases in the courts in Gjakova/Đakovica, Junik and Dragash/Dragaš. PRP and ATRC recommended to AWGJ that it cooperate with BIRN in connection with BIRN's regular reporting of property and inheritance cases in court.

### **Coverage by BIRN**

For its part, BIRN has written two articles: one of them is a follow-up on the Shyhrete Berisha court case, as the final verdict is to be issued soon, following closing arguments; the second article is story of how a deputy prime minister of Kosovo, when recently making an election speech and mentioning inheritance, does not refer to female members of the family, citing only his grandsons as his future heirs of his fortune. (Yet, the entire promotional video of his campaign focuses on the importance of the family and future generations in building a better Kosovo.)

#### **BIRN Articles:**

<http://kallxo.com/u-dha-fjala-perfundimtare-ne-rastin-e-shyhrete-berishes/>

<http://kallxo.com/ramiz-kelmendi-nuk-i-permend-mbesat-si-trashegimtare-te-pasurise/>

BIRN's most recent TV episode related to women's inheritance covered the ongoing effort to amend legislation (<http://kallxo.com/dnk/e-drejta-e-gruas-ne-prone-dhe-ndryshimi-ligjeve/>), which was a follow-up to last month's debate organized by ATRC (with PRP support).

### **New Sub-grantee from Dečan/Dečani Commences Activities**

Sub-grantee JETA has begun organizing school lectures about women's property rights. The first lecture was held in Junik Municipality ("Edmond Hoxha" High School). JETA also plans to expand awareness on the subject through local media, specifically the Radio "Top Iliria". PRP and ATRC will meet with JETA to coordinate future activities that are in line with PRP's Objective 3.

#### **Links to PRP PSAs and News Features:**

##### *PSA target audience women*

<https://www.youtube.com/watch?v=rwjeHjPG8Hg> (85 second version)

<https://www.youtube.com/watch?v=SZQIA9rI5c> (25 second version)

<https://www.youtube.com/watch?v=87lnB337z4w> (17 second version)

##### *News Feature Story women*

<https://www.youtube.com/watch?v=A0nVw-4EJJE>

##### *PSA target audience men*

[https://www.youtube.com/watch?v=e5Emkau4i\\_U](https://www.youtube.com/watch?v=e5Emkau4i_U) (85 second version)

<https://www.youtube.com/watch?v=rZbmUg4qHO8> (25 second version)

<https://www.youtube.com/watch?v=qX3ETApIHCo> (17 second version)

##### *News Feature Story men*

<https://www.youtube.com/watch?v=5ccgNWxIHQ0>

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

As reported previously, with the decision taken by USAID not to proceed with the G2G mechanism for funding PRP-supported activities under this Objective 4, PRP has conceived a number of initiatives designed to enable municipal governments to improve their services to citizens and make useful legal information available that will enable citizens to exercise their property rights more easily and effectively. These initiatives include (1) producing legal information for citizens on how to register property rights; (2) providing assistance to MCOs to enable them to secure their cadastral archives and protect them against damage and loss; (3) introducing e-kiosks to enable citizens to obtain municipal records easily; and (4) exploring the feasibility of enabling citizens to pay municipal by means of electronic payments.

During this Quarter PRP moved all of these initiatives forward as described below.

### ***Developing Public Information for Citizens on Registering Property***

In the previous Quarter PRP completed its research and analysis of the laws and procedures governing property registration. During this Quarter PRP, in close cooperation with the Viti/Vitina MCO, produced legal information products for citizens on the basis of that research and analysis that describe the steps, fees and documents required for registering property rights in three scenarios: arising from (1) inheritance; (2) a court decision; and (3) a purchase and sale. These information products will be used to develop clear information for citizens on how to register property; and to assist staff of MCO and CSO staff to provide guidance to citizens.

PRP has also commenced development of a fourth brochure on registering property received as a gift. (Although conveying property by gift to potential heirs currently is not commonly employed, PRP expects that it will become more commonplace in the future, since it is a simpler process than inheritance.)

The information is available in electronic form on the Viti/Vitina municipal webpage: <https://kk.rks-gov.net/viti/Temat/Si-ta-registroj-pronen.aspx>; <https://kk.rks-gov.net/viti/Temat/Si-ta-registroj-pronen.aspx?lang=sr-Latn-CS>.

PRP staff are working closely with Shtërpce/Štrpce and Dragash/Dragaš municipalities to ensure swift publication of the information in their webpages, too.

PRP is distributing the printed version of the information brochures to its partner municipalities Viti/Vitina, Shtërpce/Štrpce and Dragash/Dragaš. The intention is first to distribute the brochures to all local institutions involved in the process of registering property, the MCOs, civil status offices and notary offices to ensure that these are available for citizens when coming to register property. PRP is also aiming to target those citizens that have not planned to register their property rights any time soon.



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One of three PRP brochures produced and launched in Viti/Vitina Municipality during June 2017. This one describes the precise procedure, documents required, and time and fees associated with registering newly purchased property.

The brochures will also be distributed to other institutions such as courts, banks and religious councils, when agreement with them has been reached. PRP will promote these brochures in other municipalities and MCO's throughout Kosovo.

### ***Launch Event in Viti/Vitina to Unveil Public Information Brochures for Citizens on Registering Property***

PRP and Viti/Vitina Municipality held the event to present and promote the legal information brochures for citizens described above. The event itself was held in the Municipal House of Culture and featured remarks by Mayor Haliti and PRP. At the same time, PRP set up a tent outside where citizens could

receive the brochures and other relevant information. The tent generated a lot of interest and resulted in many visits by citizens.

### ***Presenting Recommendations to Municipal Officials for Measures to Improve Services to Citizens***

During this Quarter, PRP completed its identification of matters that need to be addressed at the national and local levels to make the registration process more efficient and straightforward. PRP met with the Mayor and Geodesy Director of Viti/na Municipality to present PRP's findings from its analysis of the property registration process and recommendations to make the registration process an easier, quicker and less costly. The Mayor was very receptive to PRP's recommendations, and as noted above, PRP is moving forward with a number of initiatives that were discussed.

### ***Measures to Help Secure Municipal Cadastral Archives from Damage or Loss***

The cadastral archives of Viti/na Municipality are vulnerable to damage or loss. During this Quarter PRP worked closely with MCO offices to introduce measures for safeguarding the archives. PRP commenced this work by conducting an assessment of both the "active" archive room (which stores files created during the period after the conflict), and the "passive" archive room (which stores cadastral files of the period from the 1950s to the 1980s) to determine the volume of existing cadastral files and the amount and kind of storage files, shelves or other equipment to be procured. PRP also made site visits to the premises of the new municipal building annex in Viti/na that will be the future home of the MCO's cadastral archives.

PRP also conducted market research on the technical options available and identified three different storage options to provide resiliency against theft, fire, flood and other possible causes of damage to the archives: (1) individual cabinets, (2) high density rolling shelves operated by hand crank, and (3) a bank-style vault.

PRP conducted an information-gathering visit to the National Archive Agency to gain further information on Kosovo's relevant legal standards and requirements, relevant global standards, and lessons learned from an experienced practitioner.

Using this information PRP issued a Request for Quotation (RFQ) to solicit bids for providing and installing the equipment described above. In response to the RFQ PRP received bids from interested vendors PRP and Viti Municipal officials jointly opened and reviewed the bids.

After weighing the advantages and disadvantages of each option, PRP has determined that the best option for securing the archives is to create one large storage room of a vault type. Among the advantages of this option are the single access point to the documents, the easy operation with documents inside, cost efficiency and easy installation. Among the very few disadvantages, in the case of the Viti/na facility, is the need to remove one wall and seal up one door.

PRP is currently proceeding with the procurement.

### ***Exploring the Feasibility of Arranging for Electronic Payment of Municipal Fees***

During this Quarter PRP held exploratory meetings with five commercial banks (four international and one local) operating in Kosovo to discuss the feasibility of introducing electronic payment methods in local government institutions, most particularly in the Viti/na Municipal Cadastral Office. (This would simplify current payment procedure for citizens by eliminating trips to the bank, and it would be cheaper for citizens, too.) In general the banks were quite supportive and noted that they would like to see practice adopted in other governmental institutions throughout Kosovo if the pilot case in Viti/na is a good example.

PRP also met with the directors of Finance and Cadaster in Viti/na to discuss this proposal, and they both expressed their support and see it as a logical step forward in modernizing and improving municipal government's services to its citizens.

PRP has also discussed this idea with the Director of the Department for Municipal Budget in Ministry of Finance and Economy and secured his support. Initial discussions between this Director and officials in the Treasury Department, however, indicate that the Treasury Department does not believe that this proposal can be implemented owing to difficulties in correlating the payments to the appropriate municipal budget lines, because no connection has been established between credit card machines and the unique "UNIREF" code assigned for each type of revenue collected at the local and central levels.

PRP will pursue this matter further with the Treasury Department and seek a positive outcome.

### ***Addressing the Backlog of Cadastral Registration in Shtërpce/Štrpce Municipality***

PRP met with the Shtërpce/Štrpce MCO Director and his staff to discuss the significant backlog of documents to be registered in the Cadaster (approximately 5,000). The issue has also been discussed with the Shtërpce/Štrpce Mayor and the MCO has the full support of his office to work on resolving this issue. The MCO lacks the human resources necessary to file the backlogged documents, since the MCO is fully engaged in coping with ongoing requests. PRP is exploring the possibility of hiring third-party experts to register the backlogged documents into the KCLIS.

To that end, the municipality and PRP are making efforts to develop a solution with KCA concerning the terms and conditions for allowing third parties to have access to the KCLIS.

### ***Providing Assistance to the Dragash/Dragaš MCO***

Dragash/Dragaš officials report that the MCO encounters difficulties over the period May-September when the citizens living abroad come back to visit the municipality and often seek to conclude business with the MCO. To enable the MCO to respond to this increase in citizens' requests for services. The officials have requested PRP to procure a professional GPS system for accurate surveying. The officials have also requested assistance with improving the security for cadastral archives and the conditions in which they are stored. PRP is pursuing these matters, in consultation with USAID.

### ***Beginning Procurement Process of a Cadastral e-Kiosk in Viti/na Municipality***

The administration of Viti/na Municipality (the MCO Director, in particular) is keen to work together with PRP to procure, configure, and install an e-kiosk in the downtown core. The e-kiosk is similar to other e-kiosks implemented by other USAID programs in the past in other municipalities (including Pristina) whereby citizens can make coin payments to obtain civil status documents (i.e. birth and marriage certificates). It is foreseen that one such e-kiosk in Viti/na will also offer property registration certificates. MCOs, which are short staffed in some municipalities, often spend an inordinate amount of time handling simple citizen inquiries (i.e. on the procedure for registering property) and requests (i.e. the preparation of a property ownership certificate for property they currently own). Valuable time is taken away from their more complex and time-consuming duties, thereby increasing the overall time it can take to register a property. A combination of the e-kiosk and putting information in the hands of citizens by way of the above-mentioned brochures is expected to relieve pressure on MCOs and position them to perform more efficiently. Installation and launching of the Viti/na e-kiosk is expected sometime in Fall 2017.

# PROJECT SPECIFIC PERFORMANCE INDICATORS

Performance Indicator	DO & IR that the project supports	Baseline	Target Yr. 3 [Y1+Y2+Y3]	Actual Yr. 3 [Y1+Y2+Y3]	Target LoP [Y1+Y2+Y3+Y4]	Actual LoP [Y1+Y2+Y3]	Quarter 13 Reported Results
<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	<b>1</b> [Y1=0] [Y2=1] [Y3=N/A]	<b>0</b> [Y1=0] [Y2=1] [Y3=N/A]	<b>1</b> [Y1=0] [Y2=1] [Y3=0] [Y4=0]	<b>1</b> [Y1=0] [Y2=1] [Y3=0]	National Strategy on Property Rights
1.2} Number of laws drafted and approved /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	<b>4</b> [Y1=0] [Y2=2] [Y3=2]	<b>5/D</b> [Y1=0] [Y2=1] [Y3=3]	<b>6</b> [Y1=0] [Y2=2] [Y3=2] [Y4=2]	<b>5/D</b> [Y1=0] [Y2=1] [Y3=3]	Law on Cadastre-Draft
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</i>	0	<b>10</b> [Y1=1] [Y2=6] [Y3=3]	<b>15</b> [Y1=6] [Y2=2] [Y3=3]	<b>14</b> [Y1=1] [Y2=6] [Y3=3] [Y4=4]	<b>15 (2A+13D)</b> [Y1=6] [Y2=2] [Y3=3]	Concept Document on allocating for use and exchange immovable property owned by the municipalities-APPROVED  Concept Document to Amend the Law on Contested Procedure  Administrative Instruction 04/2017 on the categorization of construction works;

Performance Indicator	DO & IR that the project supports	Baseline	Target Yr. 3 [Y1+Y2+Y3]	Actual Yr. 3 [Y1+Y2+Y3]	Target LoP [Y1+Y2+Y3+Y4]	Actual LoP [Y1+Y2+Y3]	Quarter 13 Reported Results
	<i>Increasingly Engage Constructively with Government</i>						Administrative Instruction 04/2017 on setting procedures for submission and review of Application for terms of constructions, construction permits and demolition permits for category I and II of constructions;  Administrative Instruction 04/2017 for inspection supervision and procedures for issuing the occupancy certificate.
<b>OBJECTIVE 2: IMPROVED COURT PROCEDURES RELATED TO PROPERTY CLAIMS</b>							
2.1} Number of court procedures and secondary legislation related to court function and/ or improved court performance adopted and approved	<i>DO: Improved Rule of Law and Governance that meet Citizen's Needs IR: More Efficient, Transparent, Independent &amp; Accountable Justice Sector</i>	0	8 [Y1=1] [Y2=3] [Y3=4]	0 [Y1=0] [Y2=0] [Y3=0]	12 [Y1=1] [Y2=3] [Y3=4] [Y4=4]	0 [Y1=0] [Y2=0] [Y3=0]	N/A
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 IR: More Efficient, Transparent, Independent &amp; Accountable Justice Sector</i>	1249 (Days Average)	1061 [Y1=N/A] [Y2=1186] [Y3=1061]	KJC Database/ Court Records-TBD [Y1=N/A] [Y2=?] [Y3=?]	936 [Y1=N/A] [Y2=1186] [Y3=1061] [Y4=936]	KJC Database/ Court Records-TBD [Y1=N/A] [Y2=?] [Y3=?]	N/A
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 IR: More Efficient, Transparent, Independent &amp; Accountable Justice Sector</i>	32%	52% [Y1=N/A] [Y2=37%] [Y3=52%]	KJC Database/ Court Records-TBD [Y1=N/A] [Y2=?] [Y3=?]	72% [Y1=N/A] [Y2=37%] [Y3=52%] [Y4=72%]	KJC Database/ Court Records-TBD [Y1=N/A] [Y2=?] [Y3=?]	N/A

Performance Indicator	DO & IR that the project supports	Baseline	Target Yr. 3 [Y1+Y2+Y3]	Actual Yr. 3 [Y1+Y2+Y3]	Target LoP [Y1+Y2+Y3+Y4]	Actual LoP [Y1+Y2+Y3]	Quarter 13 Reported Results
2.4} Percent of court users satisfied with court services on resolving property disputes	DO: Improved Rule of Law and Governance that meet Citizen's Needs IR: More Efficient, Transparent, Independent & Accountable Justice Sector	22%	42% [Y1=N/A] [Y2=N/A] [Y3=42%]	28% [Y1=N/A] [Y2=N/A] [Y3=28%]	52% [Y1=N/A] [Y2=N/A] [Y3=42%] [Y4=52%]	28% [Y1=N/A] [Y2=N/A] [Y3=28%]	N/A
2.5} Number of judges, lawyers and court staff trained with USG assistance	DO: Improved Rule of Law and Governance that meet Citizen's Needs IR: More Efficient, Transparent, Independent & Accountable Justice Sector	0	150 [Y1=N/A] [Y2=50] [Y3=100]	92 [Y1=N/A] [Y2=0] [Y3=92]	450 [Y1=N/A] [Y2=50] [Y3=100] [Y4=300]	92 [Y1=N/A] [Y2=0] [Y3=92]	Workshop with Civil Division Judges in Gjilan/Gnjilane, PejalPec, Ferizaj/ urosevac
2.6} Number of USG-assisted courts with improved case management related to resolution of property claims and disputes	DO: Improved Rule of Law and Governance that meet Citizen's Needs IR: More Efficient, Transparent, Independent & Accountable Justice Sector	0	8 [Y1=4] [Y2=N/A] [Y3=4]	0 [Y1=0] [Y2=0] [Y3=?]	9 [Y1=4] [Y2=N/A] [Y3=4] [Y4=1]	4 <sup>1</sup> [Y1=0] [Y2=4*] [Y3=?]	n/a
2.7} Number of legal courses or curricula developed/upgraded with USG assistance	DO: Improved Rule of Law and Governance that meet Citizen's Needs	0	8 [Y1=1] [Y2=3] [Y3=4]	1 [Y1=0] [Y2=0] [Y3=?]	12 [Y1=1] [Y2=3] [Y3=4] [Y4=4]	1 [Y1=0] [Y2=0] [Y3=?]	Development of the Judicial Guidelines and Practical Guide for utilization of the CFM

<sup>1</sup> PRP is in process of assisting 4 Courts (Gjilan, Peja, Ferizaj and Branch Court Strpce) with improved case management related to resolution of property claims and disputes

Performance Indicator	DO & IR that the project supports	Baseline	Target Yr. 3 [Y1+Y2+Y3]	Actual Yr. 3 [Y1+Y2+Y3]	Target LoP [Y1+Y2+Y3+Y4]	Actual LoP [Y1+Y2+Y3]	Quarter 13 Reported Results
	<i>IR: More Efficient, Transparent, Independent &amp; Accountable Justice Sector</i>						
<b>OBJECTIVE 3: ENHANCED WOMEN'S RIGHTS TO USE PROPERTY 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 IR: More Efficient, Transparent, Independent &amp; Accountable Justice Sector; Civil Society Strengthened to Increasingly Engage Constructively with Government</i>	0	<b>80</b> [Y1=N/A] [Y2=40] [Y3=40]	<b>22</b> [Y1=4] [Y2=18] [Y3=?]	<b>80</b> [Y1=N/A] [Y2=40] [Y3=40] [Y4=N/A]	<b>45</b> [Y1=4] [Y2=41] [Y3=?]	N/A
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 IR: More Efficient, Transparent, Independent &amp; Accountable Justice Sector; Civil Society Strengthened to Increasingly Engage Constructively with Government</i>	0	<b>60</b> [Y1=10] [Y2=25] [Y3=25]	<b>98</b> [Y1=5] [Y2=47] [Y3=37]	<b>70</b> [Y1=10] [Y2=25] [Y3=25] [Y4=10]	<b>98</b> [Y1=5] [Y2=47] [Y3=37]	(3) Development and dissemination of public information brochures for citizens on registering property (5) New Billboards on Display to Complement PSAs  E4E: (1) Communication for Social Development (CSD) has completed its TV documentary on equal rights to property. PRP appears on the TV documentary expressing its work on promoting equal property rights and its activities on awareness raising to Kosovo citizens
3.3} Number of communication and outreach campaigns, developed/supported by USG assistance	<i>DO: Improved Rule of Law and Governance that meet Citizen's Needs IR: More Efficient, Transparent, Independent &amp; Accountable Justice Sector; Civil Society Strengthened to</i>	0	<b>1</b> [Y1=0] [Y2=1] [Y3=0]	<b>1</b> [Y1=0] [Y2=1] [Y3=0]	<b>1</b> [Y1=0] [Y2=1] [Y3=N/A] [Y4=N/A]	<b>1</b> [Y1=0] [Y2=1] [Y3=N/A]	N/A

Performance Indicator	DO & IR that the project supports	Baseline	Target Yr. 3 [Y1+Y2+Y3]	Actual Yr. 3 [Y1+Y2+Y3]	Target LoP [Y1+Y2+Y3+Y4]	Actual LoP [Y1+Y2+Y3]	Quarter 13 Reported Results
	<i>Increasingly Engage Constructively with Government</i>						
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	<p><b>107</b> [Y1=7] [Y2=50] [Y3=50]</p>	<p><b>66</b> [Y1=7] [Y2=28] [Y3=21]</p>	<p><b>114</b> [Y1=7] [Y2=50] [Y3=50] [Y4=7]</p>	<p><b>66</b> [Y1=7] [Y2=28] [Y3=21]</p>	<p>(1) PRP Holds Event to Launch the Second Phase of Campaign Activities, Using Arts to Convey the Message. The event took place on May 11 at the Modelarium of Architecture</p> <p>(1) Puppet Theater Play “Grandpa’s Lap” Returns to “Dodona” Theater in Prishtinë/Prishtina.</p> <p>(1) PRP Supports DCM’s Meeting in Dragash. The US Embassy DCM, Ms. Colleen Hyland, met with local women in Dragash to discuss women’s property rights.</p> <p>(2) One day Workshop for University Students May 20 and June 17</p> <p>(1) Roundtable Conducted in Dragash on Women’s Property Rights. On April 26, PRP supported a roundtable led and organized by the Dragash Municipal Gender Officer, for women in Dragash</p> <p>(1) PRP organized a lecture on Property Rights with High School Students in Shtërpçë/Štrpçe</p> <p>(1) Launch event held in Vitil/na to unveil public information brochures for citizens on registering property</p> <p>E4E (1) Event to address civil society recommendations on “Inheritance Package”</p> <p>(1) Property Rights as constitutional rights (April7, Vitil/Vitina)</p>

Performance Indicator	DO & IR that the project supports	Baseline	Target Yr. 3 [Y1+Y2+Y3]	Actual Yr. 3 [Y1+Y2+Y3]	Target LoP [Y1+Y2+Y3+Y4]	Actual LoP [Y1+Y2+Y3]	Quarter 13 Reported Results
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	<i>DO: Improved Rule of Law and Governance that meet Citizen's Needs IR: More Efficient, Transparent, Independent &amp; Accountable Justice Sector; Civil Society Strengthened to Increasingly Engage Constructively with Government</i>	0	<b>40%</b> [Y1=N/A] [Y2=20%] [Y3=40%]	<b>76%</b> [Y1=N/A] [Y2=N/A] [Y3=76%]	<b>40%</b> [Y1=N/A] [Y2=20%] [Y3=20%] [Y4=N/A]	<b>76%</b> [Y1=N/A] [Y2=N/A] [Y3=76%]	N/A
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 and/or E4E CSO communication and outreach products, activities and events	<i>DO: Improved Rule of Law and Governance that meet Citizen's Needs IR: More Efficient, Transparent, Independent &amp; Accountable Justice Sector; Civil Society Strengthened to Increasingly Engage Constructively with Government</i>	<b>36%</b> (Negative attitude)	<b>16%</b> [Y1=N/A] [Y2= 26%] [Y3=16%]	<b>27%</b> [Y1=N/A] [Y2=N/A] [Y3=27%]	<b>16%</b> [Y1=N/A] [Y2=26%] [Y3=16%] [Y4=16%]	<b>27%</b> [Y1=N/A] [Y2=N/A] [Y3=27%]	N/A
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 IR: More Efficient, Transparent, Independent &amp; Accountable Justice Sector; Civil Society Strengthened to Increasingly Engage Constructively with Government</i>	<b>0.3%</b>	<b>10%</b> [Y1=N/A] [Y2=N/A] [Y3=10%]	<b>3%</b> [Y1=N/A] [Y2=N/A] [Y3=3%]	<b>30%</b> [Y1=N/A] [Y2=N/A] [Y3=10%] [Y4=30%]	<b>3%</b> [Y1=N/A] [Y2=N/A] [Y3=3%]	N/A

Performance Indicator	DO & IR that the project supports	Baseline	Target Yr. 3 [Y1+Y2+Y3]	Actual Yr. 3 [Y1+Y2+Y3]	Target LoP [Y1+Y2+Y3+Y4]	Actual LoP [Y1+Y2+Y3]	Quarter 13 Reported Results
3.8} Number [percentage] of women inheriting property	DO: Improved Rule of Law and Governance that meet Citizen's Needs IR: More Efficient, Transparent, Independent & Accountable Justice Sector; Civil Society Strengthened to Increasingly Engage Constructively with Government	3.8%	8.8% [Y1=N/A] [Y2=N/A] [Y3=8.8%]	7.5% [Y1=N/A] [Y2=N/A] [Y3=7.5%]	33.8% [Y1=N/A] [Y2=N/A] [Y3=8.8%] [Y4=33.8%]	7.5% [Y1=N/A] [Y2=N/A] [Y3=7.5%]	N/A
<b>OBJECTIVE 4: IMPROVED COMMUNICATION, 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 project physically establishes or upgrades.	DO: Increase Investment and Private Sector Employment IR: Improved Economic Governance & Business Environment	0	4 [Y1=N/A] [Y2=2] [Y3=2]	1 [Y1=N/A] [Y2=0] [Y3=0]	4 [Y1=N/A] [Y2=2] [Y3=2] [Y4=N/A]	1 [Y1=N/A] [Y2=0] [Y3=0]	N/A
4.2} Number of days to conduct property transactions reduced due to improved information systems [in participating municipalities]	DO: Increase Investment and Private Sector Employment IR: Improved Economic Governance & Business Environment	28 (Days)	26 [Y1=N/A] [Y2=N/A] [Y3=26]	N/A [Y1=N/A] [Y2=N/A] [Y3=26]	24 [Y1=N/A] [Y2=N/A] [Y3=26] [Y4=24]	N/A [Y1=N/A] [Y2=N/A] [Y3=?]	N/A
4.3} Number of parcels corrected or incorporated into land system [in participating municipalities]	DO: Increase Investment and Private Sector Employment IR: Improved Economic Governance & Business Environment	0	240 [Y1=N/A] [Y2=80] [Y3=160]	0 [Y1=N/A] [Y2=0] [Y3=0]	440 [Y1=N/A] [Y2=80] [Y3=160] [Y4=200]	0 [Y1=N/A] [Y2=0] [Y3=0]	N/A

Performance Indicator	DO & IR that the project supports	Baseline	Target Yr. 3 [Y1+Y2+Y3]	Actual Yr. 3 [Y1+Y2+Y3]	Target LoP [Y1+Y2+Y3+Y4]	Actual LoP [Y1+Y2+Y3]	Quarter 13 Reported Results
4.4} Land rights formalized [in participating municipalities]	DO: Increase Investment and Private Sector Employment IR: Improved Economic Governance & Business Environment	0	240 [Y1=N/A] [Y2=80] [Y3=160]	0 [Y1=N/A] [Y2=0] [Y3=0]	440 [Y1=N/A] [Y2=80] [Y3=160] [Y4=200]	0 [Y1=N/A] [Y2=0] [Y3=0]	N/A
4.5} Percent of citizens with increased knowledge of their property rights	DO: Increase Investment and Private Sector Employment IR: Improved Economic Governance & Business Environment	27%	42% [Y1=N/A] [Y2=N/A] [Y3=42%]	51% [Y1=N/A] [Y2=N/A] [Y3=51%]	52% [Y1=N/A] [Y2=N/A] [Y3=42%] [Y4=52%]	51% [Y1=N/A] [Y2=N/A] [Y3=51%]	N/A
4.6} Number of municipal officials in participating municipalities trained in property related issues.	DO: Increase Investment and Private Sector Employment IR: Improved Economic Governance & Business Environment	0	20 [Y1=N/A] [Y2=N/A] [Y3=20]	0 [Y1=N/A] [Y2=N/A] [Y3=0]	40 [Y1=N/A] [Y2=N/A] [Y3=20] [Y4=20]	0 [Y1=N/A] [Y2=N/A] [Y3=0]	N/A

# SUCCESS STORY

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





# SNAPSHOT

## KOSOVO PROPERTY RIGHTS PROGRAM (PRP)

Kosovo's current legal and institutional property rights regime poses many challenges for citizens and makes it difficult for them to exercise their property rights. This situation is a result of many factors, including the succession of four different political systems governing Kosovo during the past sixty years; Kosovo's turbulent recent history; and Kosovo's transition from a socialist-oriented system to a Western-style democracy and market economy.

Through the Property Rights Program USAID has supported the development of the National Strategy on Property Rights, which the Government of Kosovo adopted on January 18, 2017. The National Strategy presents a very comprehensive program of legislative and institutional reforms to create a unified legal framework governing property rights that is clear, harmonious, and modern. It is the culmination of an 18-month-long initiative of extensive research, analysis, discussion and debate involving nearly 50 experts and institutional stakeholders and producing over 150 pages of analysis.

During this Quarter PRP conducted practical workshops for 200 law students and other university students on the specific legal and policy challenges facing their country today and on the measures recommended in the National Strategy to address those challenges.

This initiative was inspired by a number of considerations: PRP sees Kosovo's younger generations as a significant constituency for positive social change. Kosovo has a very young population – the youngest in Europe – and Kosovo youth are generally looking to Europe and the West as models for Kosovo's future. They are supportive of the changes needed to help Kosovo become a modern Western country.

At the same time, legal education in Kosovo tends to be very theoretical and Kosovo law students are generally not receiving instruction on the practical legal issues facing their society today, including the National Strategy initiative.

PRP is using these workshops to inform Kosovo's future legal and other professionals about the concrete legal and policy challenges facing their country; and to engage their support for the efforts underway to address the problems identified and to increase citizens' understanding of these matters.

At each workshop the participants were organized into four groups, and each group received four hours of instruction on the five subject areas of the National Strategy. Experts who had taken an active part in developing the National Strategy provided the instruction, with each lecturer rotating through the four groups in turn. PRP set a maximum attendance of 120 participants per workshop, to ensure that the instruction was interactive. PRP distributed copies of the National Strategy to the participants, along with other materials.

Interest in the first workshop was so high that PRP held a second workshop four weeks later, which was also well attended, despite the fact that the workshop took place during Ramadan and the students' exam periods.

The participant profile was diverse, representing the majority of major universities in Kosovo, with law students constituting a large majority. The participants rated the workshops very highly, according an overall score of 4.9 out of 5.0 at the first workshop and 4.75 out 5.00 at the second workshop.

PRP will hold more such workshops throughout Kosovo to meet the high levels of interest among law and university students.

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# PROJECT BRIEF UPDATE

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



# PROJECT BRIEF UPDATE

## KOSOVO PROPERTY RIGHTS PROGRAM (PRP)

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

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

- Objective 1: Better Coordination and Policy Priorities
- Objective 2: Improved Court Procedures Related to Property Claims
- Objective 3: Enhance Women’s Rights to Use Property in Practice
- Objective 4: Improved Communication, Access to Information and Understanding of Property Rights

### OUR WORK

This Quarter saw PRP advance its initiatives significantly under all four Objectives. Under Objective 1, implementing legislation for the National Strategy on Property Rights was developed at a steady pace, despite the call for national elections and the resulting caretaker status assumed by the national government. Under Objective 2, PRP began piloting its improved case management reforms

in its three Courts of Merit. Under Objective 3, PRP unveiled for broadcasting a new series of PSAs on women's property rights, launching them with a visibility event featuring remarks by the USAID Mission Director; and prepared for dissemination its Report on the results of the Mid-Term National Survey on Property Rights in Kosovo. Under Objective 4, PRP produced information products for citizens on registering property and moved forward a number of other initiatives in partner municipalities that are designed to improve municipal governments' services to their citizens.

Under Objective 1, with the GoK adopting the National Strategy on January 18, 2017, during this Quarter PRP worked with stakeholder ministries and agencies to develop legislation necessary to implement the National Strategy, in accordance with the Action Plan that was adopted with the National Strategy. The Action Plan includes, among others, the specific measures, activities and sub-activities required to implement the National Strategy. Currently 18 legal acts have been adopted or are in the process of development.

To support this effort, during this Quarter PRP recruited additional local legal experts to support the GoK ministries and agencies responsible for developing the legislation to implement the National Strategy.

PRP also conducted practical workshops for law students and other university students on the issues addressed in the National Strategy. The purpose of the workshops was to inform future lawyers and other professionals about the practical property rights challenges facing Kosovo and the policy and legal interventions envisioned in the National Strategy on Property Rights to address those challenges. Nearly 200 students attended the workshops and praised them very highly. The participants received four hours of instruction on the five subject areas of the National Strategy, in discussion groups conducive to interaction. Experts who had taken an active part in developing the National Strategy provided the instruction.

During this Quarter PRP also responded to a request from the Kosovo Valuers Association (for property valuation) to support the translation into Albanian of European valuation standards. Introducing European valuation standards in Kosovo is consistent with the National Strategy, which cites problems with current valuation practice in Kosovo, and also supports Kosovo's approximation to the EU. The translation will be completed in July. PRP will also support the Association in acquiring the right to use the Serbian translation of the standards, which is available in Serbia.

Under Objective 2, PRP continued to support the integration in the civil divisions of its three pilot courts of the modern caseflow management practices that PRP has developed to address the problems identified through its extensive empirical research and analysis of the caseflow management of property cases in those courts. The improved practices are designed to eliminate unnecessary delays in adjudication and improve court efficiency.

Preliminary results to date indicate that the practices are enabling courts to reduce delays significantly. Once PRP has tested the improved caseflow management practices in the courts for six months and has achieved tangible results, PRP will approach the KJC and urge that these practices be adopted in the other Basic Courts.

To support this initiative and secure the engagement of all of the Civil Division judges in applying these reforms, PRP has hired an additional six legal associates during this Quarter to work in the CoMs, along with five interns, who will record caseflow data and support the legal associates. In addition, PRP STTA expert Judge Joseph Traficanti mentored judges and case management staff to reinforce their understanding of and support for caseflow management reforms. PRP has also produced the first draft of its handbook for judges and court staff on the reforms, "A Practical Guide for Improving Caseflow Management of Property Rights Cases and Other Civil Cases," which will support the extension of these reforms to other courts.

In addition, as concerns PRP's initiative to create summaries in the Albanian and Serbian languages of at least 120 decisions of the European Court of Human Rights (ECHR) that address property rights issues, this Quarter saw the completion of 112 case summaries. The initiative is on track to produce

over 140 case summaries and on schedule. (The Kosovo Constitution provides that the European Convention on Human Rights and the decisions of the ECHR have dominant legal force in Kosovo, yet since most ECHR decisions are not available in Albanian or Serbian, most Kosovo judges and policy makers do not have ready access to this important case law.)

For its Objective 3, PRP began airing its next generation of PSAs on women's property rights for TV, radio and the social media and conducted three month-long national billboards campaigns to complement the media campaign.

PRP held a Launch Event for this media campaign that featured remarks by USAID Mission Director; the appearance by two actors starring in the Serbian version of the new PSAs (father and son); a presentation of two of the new PSAs; a performance by the children ballet troupe, "Pirouette"; the announcement of the three winners of the photography contest, for photographs on the theme, "Property Rights"; and an exhibition of paintings by 35 fourth-graders from a Pristina elementary school, on PRP's puppet show, "Grandpa's Lap," on the theme of equal property rights between girls and boys.

During this Quarter PRP finalized for publication its Report on results from the mid-term National Survey on Property Rights and will formally announce the findings in July. Findings indicate positive changes in citizens' knowledge of property rights and in their support for women's equal property rights, and also show an increase in women's exercising their property rights through inheritance and registration, with an increase in the number of women owning property.

The findings also show that PRP's public information activities and media campaign have reached large segments of Kosovo's population, generating discussion and debate throughout Kosovo society, and likely played a decisive role in prompting the changes described above.

Under Objective 4, PRP, in close cooperation with the Viti/Vitina MCO, produced legal information products for citizens on the basis of that research and analysis that describe the steps, fees and documents required for registering property rights in three scenarios: arising from (1) inheritance; (2) a court decision; and (3) a purchase and sale. The brochures were formally unveiled in Viti/Vitina Municipality in a visibility event led by the Municipal Cadastral Office.

PRP is currently distributing the printed version of the information brochures to its other partner municipalities, Shtërpçë/Štrpce and Dragash/Dragaš, and will promote these brochures in other municipalities and MCO's throughout Kosovo.

In addition, to address the problem that the cadastral archives of Viti/Vitina Municipality are vulnerable to damage or loss, during this Quarter PRP worked closely with MCO offices to introduce measures for safeguarding the archives. PRP made site visits to Viti/na and conducted extensive market and other research on the technical options available. Using this information PRP issued a Request for Quotation (RFQ) to solicit bids for providing and installing the equipment necessary to safeguard the archives. PRP is currently proceeding with this procurement.



USAID Kosovo Mission Director, James Hope, taking pause during his remarks to watch new PSAs being launched in Spring 2017 to promote equal inheritance rights to property.

PI COMMUNICATIONS / USAID PRP



PRP Objective 3 Lead, Merita Limani, presenting to high school students in Shtërpçe/Štrpçe Municipality on socio-cultural barriers existing in Kosovo which are known to disadvantage women in family discussions regarding property inheritance.

D. CUIZON / USAID PRP



University students of law and social sciences attending a PRP workshop discussing policy measures and reforms proposed in the Kosovo National Strategy on Property Rights and how fair treatment of property rights can help to ensure the prosperity of their families and country.

D. CUIZON / USAID PRP

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# MEDIA

During this Quarter, use of social media was emphasized to share regular updates about PRP, particularly activities under Objective 3. The table below presents PRP activities and social media trigger messages published by PRP's *For Our Common Good* Facebook page, USAID/Kosovo's and US Embassy's Facebook pages. These messages were designed to reach target audiences discussed above in order to further raise awareness about the property rights regime in Kosovo.

## SOCIAL MEDIA TRIGGER MESSAGES



To mark Kosovo's Constitution Day, on April 7th (Friday), #USAIDPropertyRightsProgram (PRP) supported and assisted the municipality of #Viti/na in organizing a conference in Viti/Vitina high school "Jonuz Zenjullahu." The conference featured discussions led by a panel that consisted of the first adviser of the Constitutional Court, the Head of the Viti/na Branch Court, a local Notary and the Deputy Mayor, who also fielded questions from the 65 tenth- and twelfth-graders in attendance.

In addition, at the event the winner was announced of an essay contest that was conducted among the pupils of three twelfth-grade classes, on the theme, "Property Rights and the Kosovo Constitution." The winning essay was chosen, and its author read her essay to the audience.

The event was followed by a buffet of traditional food prepared by a local women's cooperative.

This event was part of USAID PRP's efforts to raise awareness on equal property rights with different group ages, including high schoolers.

#PërtëMirënTonë, #equalpropertyrights, USAID Kosovo

<https://www.facebook.com/PerTeMirenTone>  
Published on April 11, 2017



Last week, #USAIDPropertyRightsProgram, in cooperation with #Dragash/Dragaš Municipality, organized a roundtable discussion with women from the local community, to discuss on challenges surrounding women's property rights. PRP shared information on the law governing property rights and how it enables women, and all citizens, to acquire and use property. This was followed by a discussions on local traditions and customs in this municipality, in regards to women's property and inheritance rights. The new campaign PSA's were shown at the event.

#equalpropertyrights, #PërtëMirënTonë, USAID Kosovo

<https://www.facebook.com/PerTeMirenTone>  
Published on May 4, 2017



#USAIDPropertyRightsProgram launches the second phase of its media campaign on equal property rights.

Check out our new PSA targeting parents and children.

#equalpropertyrights, #PërtëMirënTonë, USAID Kosovo

Albanian version:

<https://www.youtube.com/watch?v=5fyCMBrtqtA&t=1s>

<https://www.facebook.com/PerTeMirenTone>  
Published on May 2, 2017



#USAIDPropertyRightsProgram launches the second phase of its media campaign on equal property rights.

Check out our new PSA targeting parents and children.

#equalpropertyrights, #PërtëMirënTonë, USAID Kosovo

Serbian version:

<https://www.youtube.com/watch?v=t7uxlXiv5vA>

<https://www.facebook.com/PerTeMirenTone>  
Published on May 2, 2017



This week, #USAIDPropertyRightsProgram, in cooperation with #Dodona theater troupe, had the puppet show, "Grandpa's Lap," performed once more in the "Dodona" Theater for fourth-graders from the "Gjergj Fishta" elementary school. Around 120 4th graders were in the audience.

The children were given souvenir tickets to the show.

#equalpropertyrights, #PërtëMirënTonë, USAID Kosovo

<https://www.facebook.com/PerTeMirenTone>  
Published on May 5, 2017



*[[Translated from Albanian]]*

The launch of the new phase of the campaign for equal property rights.

#përtëmirëntonë

<https://www.facebook.com/Kallxo>  
Published on May 11, 2017 – (Kallxo livestreamed the PRP event using Facebook Live)



Over 125 Kosovo students of law and social sciences spent their Saturday together with #USAIDPropertyRightsProgram in a one-day workshop to discuss in detail the policy measures and reforms proposed in the Kosovo National Strategy on Property Rights. The workshop was arranged into small groups led by 4 rotating experts throughout the day who presented on the different major thematic objectives of the Strategy. The students came away feeling emboldened by their greater awareness of how property has historically been treated and how important it is for the prosperity of every individual in Kosovo.

#EqualPropertyRights #PerteMirenTone

<https://www.facebook.com/PerTeMirenTone>  
Published on May 20, 2017



Great event launching the second phase of the outreach campaign for USAID Kosovo's #PropertyRightProgram, working to build awareness for equal property rights in Kosovo. A photo contest, children's artwork, and even a ballet all showed the power of art to help change hearts and minds.

<https://www.facebook.com/USAIDKosovo>  
Published on May 11, 2017



*[[Translated from Albanian]]*

The launch of the new phase of the campaign for equal property rights, #përtëmirëntonë, intended to support the property rights of women and girls in Kosovo, today was conveyed a strong message of equality to the property. A very special find, through the art of photography, children's ballet and theatre performances, "Për Të Mirën Tonë" seeks to raise awareness and inform more citizens for property rights.

<https://www.facebook.com/RevistaFlatra> (Flatra Magazine)  
Published on May 11, 2017



Equal Love = Equal Share for our Daughters

#equalpropertyrights, #PërtëMirënTonë, USAID Kosovo

<https://www.youtube.com/watch?v=N5Zu2jr4UW0> (Albanian)

<https://www.youtube.com/watch?v=sr1Ve5X0iLA> (Serbian)

<https://www.facebook.com/PerTeMirenTone>  
Published on May 23, 2017



Have you seen our billboards around Pristina, and other municipalities?

Equal Love = Equal Rights for property rights

#equalpropertyrights, #PërtëMirënTonë, USAID Kosovo

<https://www.facebook.com/PerTeMirenTone>  
Published on May 25, 2017



On June 15th, USAID #PropertyRightsProgram (PRP), in cooperation with #Viti/Vitina Municipality, held a launch event for the promotion of brochures with legal information on registering property in three scenarios: arising from (1) inheritance; (2) a court decision; and (3) a purchase and sale. PRP representatives and the Mayor of Viti/Vitina gave their remarks on the importance of these brochures.

In addition to this event, PRP and the Viti/na Municipality had a tent placed outside, where the brochures were distributed to the citizens, and information was given on the processes of registration of property rights.

The event is supposed to precede the summer season when the demand for such information increases owing to the return of the Kosovo diaspora for summer holidays

#PërtëMirënTonë, #EqualPropertyRights, USAID Kosovo

<https://www.facebook.com/PerTeMirenTone>  
Published on June 16, 2017



#USAIDPropertyRightsProgram in close cooperation with the Directorate of Education and the Municipal Gender Officer of Shtërpce/Štrpce Municipality, organized a lecture on the importance of equal property rights and the ongoing legislative reforms of the sector with high school students of "Kongresi i Manastirit" in Firaje, Shtërpce/Štrpce. Over 60 students signed up and were in attendance. The conversation was interactive with very high interest in discussing the students' own understanding and experience with property, namely with women's access to property inheritance rights. Our PSAs were also played for the students, and the message of equal rights in property was received with great enthusiasm and support. #EqualPropertyRights #PerteMirenTone #USAIDKosovo

<https://www.facebook.com/PerTeMirenTone>  
Published on June 6, 2017



Have you seen the children's paintings on the puppet show "Grandpa's Lap," on equal rights for girls and boys? They are displayed on our billboards around Pristina, and other municipalities.

Equal Love = Equal Rights for property rights

#equalpropertyrights, #PërtëMirënTonë, USAID Kosovo

<https://www.facebook.com/PerTeMirenTone>  
Published on June 23, 2017

## **PUBLICATIONS**

The following print and digital publications covered PRP Activities this quarter.

### **Kosovapress**

'USAID Launches the campaign for the equal property rights'

<http://www.kosovapress.com/sq/lajme/usaid-lanson-fushaten-per-te-drejtat-e-barabarta-pronesore-113859/>

May 11, 2017

### **Kallxo.com**

'USAID Launches the campaign for the equal property Rights'

<http://kallxo.com/usaid-lanson-fushaten-per-te-drejtat-e-barabarta-pronesore/>

May 11, 2017

### **Bota Sot**

'The Deputy Chief of the American Mission in Kosovo, Colleen Hyland today visits Dragash/Dragaš'

<http://www.botasot.info/lajme/702577/zevendesshefja-e-misonit-amerikan-ne-kosove-colleen-hyland-sot-ne-dragash/>

May 18, 2017

### **Opoja.net**

'American Embassy in support of non-majority communities'

<http://www.opoja.net/ambasada-amerikane-ne-mbeshtetje-te-komunitetit-jo-shumice/>

May 18, 2017

### **www.usaid.gov**

'Supporting property rights and countering violent extremism in Dragash/Dragaš'

<https://www.usaid.gov/news-information/news/supporting-property-rights-and-countering-violent-extremism-dragashdraga%C5%A1>

May 18, 2017

### **rks-gov.net**

'Citizens of Viti/ Vitina are informed about the registration of property rights'

<https://kk.rks-gov.net/viti/News/Qytetaret-vitias-informohen-per-se-afermi-mbi-regj.aspx>

June 15, 2017

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