



10:00 AM KPA HQ
A lawyer is doing the final review before a claim is submitted to the KPCC.



10:00 AM PEJË/PEĆ
KPA Evicts an illegal occupant.

Status of funding as of January 2008

The KPA operations require an annual budget of approximately €4.5 million, of which 2/3 is spent on personnel and 1/3 on operational costs. Incorporating all current donor commitments, the KPA currently has insufficient funding which will severely restrict operations as early as January 2008. Unless further commitments are made before the end of 2007, the KPA shall be forced to cease all operational activities by such time. The funding pledged thus far will allow the Agency to retain logistical staff on local governmental contracts (KCB), and international staff provided in kind by UNMIK and the Government of Norway to safeguard equipment, premises and archives.

Budget 2008 (in €):	
Personnel	3,100,000
Operations	1,200,000
Capital investments	500,000
Claim intake operations	100,000
Public information	400,000
Total costs	5,300,000
Foreseeable contributions for 2008 (in €):	
Kosovo consolidated budget (KCB)	1,000,000
Switzerland	300,000
Norway (in kind)	840,000
UNMIK (in kind)	480,000
Total	2,620,000
Total shortfall 2008	2,680,000

With a stipulated lifetime of an additional three years, the KPA will during its total forecast lifetime from April 2006 through December 2010 consume a calculated total of € 22 million. With a stipulated workload of 35,000 cases, this equals a total cost per processed claim of a very economical € 630.

Is there any alternative to KPA?

The only alternative to the KPA methodology is the local courts, as the Agency itself was established to alleviate the courts of their huge backlog of cases. As of 30 June 2007, some 47,829 civil disputes were pending before the municipal courts. Further investigation has indicated that this backlog is growing. A return of the KPA jurisdiction to the courts at this point in time would dramatically increase the workload of the courts, further overstressing their capacity, and restricting their ability to take on additional cases for the foreseeable future. The following examples will help illustrate the challenges the courts would have to face:

Courts	Pending civil disputes 30 June 2007	Cases resolved 1 Jan - 30 Jun 2007	Current monthly production of decisions	Pending claims with KPA 15 Nov 2007
Istog/Istok	2,049	255	42.5	4,514
Klinë/Klina	1,967	213	35.5	2,976
Prizren	6,696	488	81.3	2,657
Ferizaj/Uroševac	4,225	194	32.3	2,619
Pejë/Peć	5,814	409	68.1	2,560

If the courts work exclusively on the backlog and do not address any new cases, it will take the courts of Istog/Istok, Klinë/Klina, Prizren, Ferizaj/Uroševac, and Pejë/Peć nearly 13, 12, 10, 18 and 10 years respectively to remove the back log (ignoring the backlog being built parallel with this by new claims being received but not addressed).

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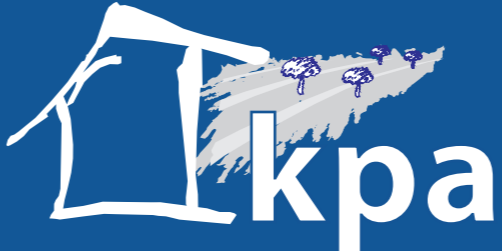


Kosovo Property Agency



The pictures above are examples of properties claimed with the KPA. None of these claims have yet been adjudicated. A property may not be illegally occupied even if someone has filed a claim for it.

www.kpaonline.org





10:00 AM BELGRADE
A claimant submits a claim to KPA.



10:00 AM LIPJAN/ LIPLJAN
A KPA officer is notifying a claimed property.



10:00 AM MITROVICĚ/ MITROVICA
A KPA officer is visiting municipal archives in order to verify documents submitted by a claimant.

Why KPA?

As a consequence of the 1998-1999 armed conflict, a large number of displaced persons are still residing outside of Kosovo. A substantial number of private properties remain illegally occupied. Whereas the Housing and Property Directorate (HPD), the predecessor of the Kosovo Property Agency (KPA), processed all of its 29,160 residential property claims, no specialized mechanism was put in place to address the conflict related disputes regarding private commercial properties such as shops or agricultural land. In his report to the UN Secretary General in 2005, the Special Envoy to Kosovo, Ambassador Kai Eide, highlighted illegal occupation of private commercial properties, incl. agriculture land, as being one of the most serious obstacles to the sustainable return of the displaced population.

A fair resolution of property rights is paramount for facilitating the sustainable return and ensuring the equal treatment of all ethnic communities. It is also a prerequisite for attracting investment in Kosovo and upholding the rule of law. In recognition of such facts, Standard VI of the Kosovo Standards Implementation Plan focuses exclusively on property rights.

The KPA presents a real opportunity to achieve a fair resolution of property rights and to deliver tangible results on the Property Rights Standard; its mandate ensures the return of lost possession of private residential, commercial and agricultural property to the lawful property right holders. Therefore, the Agency is playing a vital role in the return of the displaced population and in ensuring that the Kosovo Cadastre Agency and the municipal cadastre offices are provided with reliable information on property titles, which in turn facilitates economic investment and growth. The settlement status proposed by the UN Special Envoy President Martti Ahtisaari acknowledged the vital role being played by the KPA in this regard.

“A great number of agricultural and commercial properties remain occupied. This represents a serious obstacle to returns and sustainable livelihoods.”

UN Special Envoy Kai Eide

Status of KPA operations as of 15 November 2007

Claims collected by region and municipality

Area	Claims collected		Claims decided	
	Number of claims	% of total claims	Number of claims	% of total claims
Kosovo Wide	31,957	100	1,513	4.7
MITROVICĚ/MITROVICA	3,425	10.7	68	
Leposaviq/Leposavić	80	0.3	0	
Mitrovicë/Mitrovica	491	1.5	0	
Skenderaj/Srbica	1,451	4.5	62	
Vushtrri/Vucitrn	1,194	3.7	6	
Zubin Potok	206	0.6	0	
Zveqan/Zvečan	3	0	0	
GJILAN/GNJILANE	7,156	22.4	417	
Ferizaj/Uroševac	2,619	8.2	155	
Gjilan/Gnjilane	1,127	3.5	11	
Kaçanik/Kačanik	235	0.7	23	
Kamenicë/Kamenica	1,099	3.4	73	
Novobërdë/Novo Brdo	506	1.6	43	
Shtërpce/Štrpce	105	0.3	0	
Viti/Vitina	1,465	4.6	112	
PEJĚ/PEĆ	11,129	34.8	503	
Deçan/Dečane	501	1.6	23	
Gjakovë/Đakovica	578	1.8	28	
Istog/Istok	4,514	14.1	196	
Klinë/Klina	2,976	9.3	147	
Pejë/Peć	2,560	8	109	
PRISHTINË/PRIŠTINA	5,667	17.7	204	
Fushë Kosovë/Kosovo Polje	268	0.8	5	
Gillogoc/Glogovac	49	0.2	0	
Lipjan/Lipljan	1,253	3.9	107	
Obiliq/Obilić	321	1	0	
Podujevë/Podujevo	1,849	5.8	42	
Prishtinë/Priština	1,738	5.4	47	
Shtime/Stimlje	189	0.6	3	
PRIZREN	4,580	14.3	321	
Dragash/Dragaš	7	0	0	
Malishevë/Mališevo	75	0.2	0	
Prizren	2,657	8.3	150	
Rahovec/Orahovac	524	1.6	32	
Suharekë/Suva Reka	1,317	4.1	139	

“Due to the general shortcomings in Kosovo’s rule of law, property owners are only protected if they are able to protect themselves.”

Kosovo Ombudsperson, Annual Report 2006-2007

Type of property rights and property claimed

Region/Category	Gjilan/ Gnjilane	Mitrovicë/ Mitrovica	Pejë/Peć	Prishtinë/ Priština	Prizren
Ownership	7,129	3,374	11,064	5,577	4,529
User Rights	27	51	65	90	51
Compensation	0	0	0	0	0
Residential	397	213	744	518	328
Commercial with buildings	114	152	236	321	102
Commercial without buildings	6,645	3,060	10,149	4,828	4,150
Total	7,156	3,425	11,129	5,667	4,580
% of Claims	22.4	10.7	34.8	17.7	14.3

Municipalities with most claims

Municipality	Number of claims	% of total claims
Istog/Istok	4,514	14.1
Klinë/Klina	2,976	9.3
Prizren	2,657	8.3
Ferizaj/Uroševac	2,619	8.2
Pejë/Peć	2,560	8.0
Total	15,326	47.5



10:00 AM KPA HQ
A call centre operator is requesting a claimant to submit additional documents.



10:00 AM GJILAN/ GNJILANE
An order to vacate the property within 30 days is posted on a property under KPA administration.