



Organization for Security and Co-operation in Europe
MISSION IN KOSOVO

**Remarks of Ambassador Werner Wnendt,
Head of OSCE Mission in Kosovo,**

Remarks on the OSCE Mission report "Expropriations in Kosovo"

Prishtinë/Priština, 13 December 2006

Ladies and Gentlemen,

I have the pleasure to present to you today the OSCE Report on 'Expropriations in Kosovo'.

The report is the result of field monitoring of expropriations that have taken place since the establishment of UNMIK in Kosovo and constitutes a follow up of the 2002-2003 OSCE Report on Property Rights in Kosovo. Moreover, the report aims to support the Provisional Institutions of Self-Government in the implementation of the Property Rights Standard.

We wish to support the municipalities and the central government in implementing the Kosovo Standards and the European Partnership Action Plan, which call for the respect of property rights.

In this regard, the implementation of property laws, with full respect for human rights, has become and continues to be a priority for both local and international authorities in Kosovo.

The report not only gives examples of the shortcomings in the existing procedure and highlights the failures of many actors to comply with regulations, but also provides recommendations on how to address them.

The Report identifies a series of challenges, such as the lack of appropriate identification of and notification to affected property right holders (particularly displaced persons), and the non- provision of adequate compensation.

This allowed us to come up with a number of recommendations for the key stakeholders.

In particular, we recommend to the government of Kosovo that it implements a legal reform or other measures to ensure that displaced persons and minority community members are adequately notified, represented, and have access to remedies in administrative proceedings.

Ambassador Werner Wnendt, Head of OSCE Mission in Kosovo
13 December 2006

We also recommend to the Ministry of Local Government Administration that it provides increased legal advice to the municipalities to help ensure that property rights are protected when expropriations take place.

The OSCE also urges the Ministry to advise municipalities on how to provide timely information to displaced property rights holders and minority community members on expropriations affecting their property, and to ensure access to legal remedies. We also believe that the Ministry should provide municipalities with guidance on how to redress situations where people were unlawfully dispossessed.

For the municipalities on the other hand, it is important to comply at every stage with the procedure foreseen in the Law on Expropriation and the legal framework related to land use.

The international community should also continue, within its mandate, to address the expropriation issue. In the case of KFOR, this means co-ordinating with local authorities when initiating projects concerning infrastructure in order to ensure that municipalities follow expropriation procedures. For UNMIK, this implies the assessment of expropriation decisions taken by municipalities in Kosovo since the establishment of UNMIK. Finally, the OSCE believes that international donors should ensure the compliance of municipalities with expropriation procedures when implementing donor funded projects.

To conclude, please let me emphasise that the OSCE stands ready to support all stakeholders in implementing the recommendations made in the report in order to strengthen the protection of property rights in Kosovo.