

**RECOMMENDATIONS OF MPDL – MOVEMENT FOR PEACE BASED ON ITS
STATEMENT MADE ON WORKING SESSION 5, “HUMANITARIAN ISSUES
AND OTHER COMMITMENTS I’**

2007 HUMAN DIMENSION IMPLEMENTATION MEETING”

Warsaw, 26 September 2007.

The recommendations referred to the below mentioned territories could be read as follows:

1. BOSNIA – HERZEGOVINA:

- (a) To made all efforts to fulfill the commitments set out under the “Sarajevo Declaration” and, in particular for immovable property, to allocate appropriate funds for (i) reconstruction of destroyed and damaged housing units in private ownership, and (ii) compensation of damages (please note that this last recommendation is addressed to both entities of Bosnia-Herzegovina).

2. CROATIA:

- (a) To made all efforts to fulfill the commitments set out under the “Sarajevo Declaration” and, in particular, to (i) recognize the rights to property of the former holders of occupancy/tenancy rights to socially owned flats, and (ii) facilitate the annulment of those contracts concluded under duress and/or in contravention of the provisions of civil and international law, as well as to execute all court decisions validly adopted in Bosnia-Herzegovina referred to this matter.

3. SERBIA:

- (a) To made all efforts to fulfill the commitments set out under the “Sarajevo Declaration” and, in particular, to facilitate the local integration of refugees and displaced persons willing to stay in Serbia, through a proper implementation of the National Strategy for Resolving the Problems of Refugees and Internally Displaced Persons.

4. KOSOVO (please note that the following recommendations are jointly made to the main local and international stakeholders, that is, PISG, Serbian authorities, UNMIK, OSCE Mission in Kosovo, among others, unless otherwise specifically addressed to any of them):

- (a) To guarantee the freedom of movement to all persons living in Kosovo.
- (b) To clearly define the areas of responsibility of each of the stakeholders.

- (c) To international stakeholders, to closely monitor the activity of local authorities when performing the activities under their responsibility.
- (d) To clearly define the applicable legislation.
- (e) To the Assembly of Kosovo, to approve the Protocol on the Voluntary and sustainable Return of IDPs, and to secure a further proper implementation of the same.
- (f) To allocate sufficient resources in order to unblock the massive backlog of cases in the courts, which is in fact impeding the access to justice of citizens.
- (g) To release the citizens from the obligation to bear the financial costs of translating into English the documents that are addressed to high instance courts.
- (h) To secure a transparent, effective and non discriminatory procedure for the restitution and compensation of property claims and, specifically, (i) to Municipal Courts, to secure proper verification of all sales purchases of property, in order to avoid fraudulent transactions, in accordance with the existing UNMIK Instruction on this matter, which additionally requires a more fluent communication between the Municipal Courts, Department of Verification and Ministry of Justice in Serbia, (ii) to municipalities, to secure the rights of the citizens being expropriated and not to continue with illegal constructions, everything in accordance with the applicable Law on Expropriation of the Former Autonomous Socialist Province of Kosovo, (iii) to the Kosovo Police to adopt the legal measures to secure the property of the displaced persons after having a positive decision of the KPA, and finally (iv) to Kosovo Property Agency, first and above all, to extend the given deadline of December 3, 2007 to submit all claims, and, if such was not the case, to initiate an intensive information campaign, as most of the citizens are not aware of this deadline, second to transfer all the cases referred to compensation for damages in property that fall outside of the scope of KPA's responsibility to the Municipal Courts as soon as possible, third to speed up its own procedure and, fourth, to have a more fluent communications among their offices in all the territories.