



UN-HABITAT

**Municipal Spatial
Planning Support
Programme
in Kosovo**



PISG

**Ministry of Environment
and Spatial Planning**



**Organization for
Security and
Co-operation in Europe**

For a Better Life in Our Municipality

This paper was produced based on the UN-HABITAT, the Ministry of Environment and Spatial Planning (MESP) and the OSCE Mission in Kosovo ‘Workshop on Urban Upgrading and Regularisation of Informal Settlements in Kosovo’ in Grand Hotel, Prishtinë/Priština, on 16 November 2006, as a way forward for the prevention, regularisation and urban upgrading of informal settlements in the municipalities of Kosovo.

During the past decades, and particularly after the conflict, various neighbourhoods have developed in and around towns and cities throughout Kosovo. Because these neighbourhoods have been built without urban plans and building permits, and sometimes have been built on someone else’s land, they are described as ‘informal settlements’. There are different types of informal settlements in Kosovo. In most cases, the settlements are built by the landowners themselves. In other cases, the inhabitants lack registered property title. Some of these neighbourhoods are wealthy. Alternatively, the living conditions can be extremely poor, which is often the case of Kosovo Roma, Ashkaeli and Egyptian ‘mahalas’.

While these neighbourhoods usually indicate economic growth, their uncontrolled development has negative consequences on the cities’ economies since the municipalities need to pay for all the costs of providing infrastructure. The private land investors and the inhabitants should also contribute to improving the living conditions. Everyone in Kosovo has a ‘right to the city:’ the right to access public infrastructures, services and facilities, and to contribute to the development process. Everybody has responsibilities to make this happen, such as paying taxes and bills, as well as respecting other persons’ property rights and adhering to laws and regulations on construction and urban planning.

On 16 November 2006, the MESP, UN-HABITAT and the OSCE Mission in Kosovo organised a workshop in which all municipalities, relevant ministries, and representatives from civil society and the private sector reviewed the situation in co-operation with world recognised experts. As a result, the organisers prepared the following recommendations:

General goals:

- I. Prevent the development of future informal settlements and, when appropriate, regularise and upgrade existing ones;
- II. Ensure a sustainable urbanisation process in Kosovo; and
- III. Develop a sustainable spatial planning, land and housing policy for Kosovo through the implementation of a) an adequate legal framework, b) improved institutional co-operation, c) higher technical capacities, and d) involvement of the private sector and the inhabitants of informal settlements.

Recommendations:

A. To the Government of Kosovo

1. Continued implementation of the Vienna Declaration through the Kosovo framework. The 2004 ‘Vienna Declaration on Informal Settlements’, an intergovernmental statement promoted by the Stability Pact for South Eastern Europe, contains a set of common regional principles on prevention and regularisation. The Vienna Declaration implements an important process of capacity strengthening and experience sharing through regional review meetings. In this regard, it is recommended that the challenges and opportunities posed by informal land development through the continued implementation of the Vienna Declaration on Informal Settlements in the Kosovo framework are recognised.
2. Kosovo Action Plan on Informal Settlements. In line with the European Partnership Action Plan, formulate a detailed action plan on the prevention of future informal settlements and the regularisation and urban upgrading of existing ones, taking into account the various types of settlements existing in Kosovo (poor neighbourhoods, wealthy neighbourhoods, insecure property tenure, presence of sustainability elements, etc.) in order to address them differently. This will facilitate, *inter alia*, the funding of infra-structure and community development projects with international donors. Priority should be given to Roma, Ashkaeli and Egyptian neighbourhoods as the most vulnerable groups. Define concepts, goals, actions, targets and necessary partnerships to be reached in mid and long term.
3. Informal settlements website. As part of ongoing awareness raising activities, create an informal settlements website with links to existing resources on prevention and regularisation of informal settlements (MESP). This will create a virtual learning network on informal settlements for government, civil society, private sector, neighbourhood representatives, and university members.
4. Legal reform. Continue to revise relevant laws on land use, spatial planning, housing, and construction to ensure informal settlements prevention, regularisation and urban upgrading. In particular, a) consider the specific provisions on land subdivisions within the context of the revision of the Law on Spatial Planning to ensure developers contribute to the public interest, and b) consider widening the scope of the ‘draft law on construction land’ so that it

includes provisions that facilitate regularisation of informal settlements, and c) assess possibilities to simplify and streamline existing procedures for the provision of building permits.

5. Capacity building. Ensure the participation of relevant MESP and municipal officials in regional capacity strengthening programmes. Develop proposals to ensure international and regional expertise is provided within this training.
6. Taxation systems. Assess possibilities for the revision of the property taxation system and ensure financial sources for regularisation programmes other than international donors. In this sense, municipalities should integrate new constructions in the tax system.

B. To the Municipalities

1. Urban and spatial integration. Develop a vision on informal settlements through the formulation of Municipal and Urban Development Plans.
2. Municipal informal settlements profiles. Create taskforces engaging civil society and community representatives and establish profiles of informal settlements within the municipality.
3. Housing programmes. Elaborate a needs assessment and develop local strategies on affordable housing.
4. Prevention of illegal construction and new informal settlements. In co-ordination with MESP, take measures against illegal construction.
5. Public, state and socially-owned land. In cases where informal settlements occupy public, state or socially-owned land, assess, in co-operation with the government and international actors, possibilities for regularisation based on needs, priorities, balance of public and private interests and the law.
6. Minority protection. Improve the conditions in the most disadvantaged areas, including Roma, Ashkaeli and Egyptian neighbourhoods.
7. Community based project development. Set priorities, develop and implement projects for informal settlements through methods of community participation. The commitment of inhabitants should be a pre-condition.
8. Public-private partnerships. Reach agreements with private land developers to ensure cities benefit from their activities.

C. To the inhabitants of informal settlements themselves

1. Inhabitants should engage in the planning process. Inhabitants of informal settlements should participate in the planning process and take an active role in the improvement of their neighbourhoods.
2. Taxes and fees. Inhabitants must pay necessary taxes and fees to enjoy services such as roads, water, electricity and sewage.

3. Respect for property rights and spatial planning and construction laws.
Inhabitants should obtain the necessary permits prior to construction. Illegal occupation is not a solution: inhabitants should always respect other persons' land and properties as well as public property.