

UNMIK PRESS RELEASE



United Nations Interim Administration Mission in Kosovo

UNMIK/PR/613

17 July 2001

IAC Discusses Property Regulation, HPD

Today the Interim Administrative Council received an update on the work of the Housing and Property Directorate as well as a draft of the proposed regulation “on the Registration of Contracts for the Sale of Real Property in Specific Geographic Areas of Kosovo.”

The IAC members will study the draft regulation, which will be discussed at next week’s IAC meeting. Acting SRSB Tom Koenigs stressed that the regulation would not ban or stop sales, but would introduce a review mechanism to monitor interethnic sales in areas where minorities are most vulnerable

Mr. Koenigs stressed the urgent need to approve the regulation, as it has been a priority for both Mr. Haekkerup and previously for Dr. Kouchner to limit the flow of minorities from mixed neighbourhoods as well as the forced sales of minority properties.

The regulation will apply to any minority community in areas where such sales are ongoing.

The regulation allows the SRSB to designate specific geographic areas of Kosovo,-- specifically in sensitive, multi-ethnic locales,-- where people who are selling property would be required to register the contract with the municipal administrator’s office, before the municipal court validated the contract, according to UNMIK Legal Advisor Alexander Borg-Olivier.

The aim is not to prevent property exchange, but to monitor the sale of minority-owned property, in order to ensure that irregular sales detrimental to minority rights or to the multiethnic character of Kosovo are not registered or validated by the courts, he said.

There are several appeals measures, should the municipal administrator decide not to certify the contract.

The regulation also establishes a regional review committee, which will ensure consistent implementation, Mr. Borg-Olivier said. And the regulation itself will be reviewed by the SRSB every six months to see if it is still needed.

To designate areas where proposed sales should be reviewed, the SRSB will take into consideration security concerns that could arise from the sale of the property; evidence of a systematic pattern of sales of minority properties at unrealistic prices; and areas specifically designated for the early return of minorities.

IAC member Ramush Haradinaj called the measure a ‘return to communism,’ while Ibrahim Rugova said that the ‘bitter experience’ of Kosovo Albanians with property laws argued that ‘another way should be found’ to protect minorities: “Most of the sales are over

now: let's think about it." IAC member Randall Nojkic said the measure didn't go far enough and could not retrieve the many properties which were already sold under duress.

Regarding the Housing and Property Directorate, HPD officer-in-charge Knut Rosandhaug, described the HPD's role in resolving property disputes and claims to ownership: HPD anticipates 80,000 such cases and currently has 1,000 under investigation.

HPD, which began work on 31 October 2000, operates on a \$9 million budget with offices in Pristina and Mitrovica and planned offices in Zvecan, Zubin Potok, Leposavic and Belgrade.

Among the challenges HPD is facing is the fact that 'unauthorized structures' are issuing permits for use of abandoned properties. Many people are illegally collecting rent on abandoned property, and others are altering and expanding property which is not theirs. Many people occupying property illegally refuse to move unless the real or new owners pay large sums of money. Others are genuinely without alternative housing or money, and occupy flats illegally for lack of any alternatives.

But a greater, "social" problem, is that many people who left the countryside during the war and came to occupy city property illegally do not want to move back, even if their country house has been reconstructed, he said.

As a relatively small organization with 120 local and 20 international staff, the HPD is dependent on cooperation with other organizations to do its work. HPD has received particularly good assistance from MNB-North, Mr. Rosandhaug said, as well as the Kosovo Police Service and Kosovo Protection Corps. Questioned by IAC member Randall Nojkic on the quality of support rendered by the KPC, Mr. Rosenhaug said that as an organization, the KPC was committed to helping resolve property issues, while individuals from the KPC or ranks of the ex-KLA may tend to be particularly 'stubborn' in seizing abandoned property.

He also pointed out that HPD has tried to get municipalities involved in HPD's work, but that after the HPD trained municipal staff, they were "phased into other jobs."

Other points of discussion at today's IAC included:

- The Serb humanitarian convoy: Mr. Koenigs explained that due to the lateness of notice, UNMIK proposed a reduced convoy and a 24-hour delay in its arrival. When the convoy organizers chose instead to try and enter Kosovo Saturday with the full entourage, UNMIK and KFOR stopped the convoy for security reasons. KFOR then distributed the humanitarian aide to the planned destinations in the enclaves. Mr. Koenigs said UNMIK's terms for visits have been communicated to FRY authorities and that with 96 hours notice, adequate security can be arranged for such visits.
- Pensions: this will be the main topic of discussion at tomorrow's Kosovo Transitional Council.
- Drivers' licenses: Mr. Koenigs said that a regulation on new drivers' licenses was under preparation, while UNMIK would move to ensure expired drivers' licenses will be deemed valid by UNMIK Police and the KPS.