

Assessment of Social Housing and Housing Construction in Kosovo 2018-2023

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Abbreviations

AI	Administrative Instruction
CSW	Centre for Social Work
DHSW	Municipal Directorate for Health and Social Welfare
DP	Displaced persons
ECHR	European Convention of Human Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
MESPI	Ministry of Environment, Spatial Planning and Infrastructure
MFLT	Ministry of Finance, Labour and Transfers
MOCR	Municipal Officer for Communities and Returns
MoU	Memorandum of Understanding
NGO	Non-governmental organization
OSCE	Organization for Security and Co-operation in Europe
OECD	Organization for Economic Co-operation and Development
UDHR	Universal Declaration of Human Rights
UNHRC	United Nations Human Rights Council

Executive Summary

In this report, the OSCE Mission in Kosovo (hereinafter OSCE) provides an assessment of the compliance of Kosovo institutions with their legal obligations to provide adequate housing and evaluates efforts to provide housing to vulnerable communities. It follows the publication of the 2013 report¹ which offered an initial assessment of institutional compliance following the passing of the 2010 Law on Financing Specific Housing Programs. As part of its mandate to monitor, promote and protect human rights, the OSCE has continued to monitor developments on implementation of the social housing programs in Kosovo.

This report provides an analysis of the development and implementation of social housing programs by municipalities during the five-year period between July 2018 and July 2023. It offers a fresh assessment of the progress made in recent years while also identifying ongoing challenges, in particular in relation to non-majority communities. One of the main challenges recognized is the tendency of municipalities to fund and implement housing construction projects in partnership with third party actors, mainly in the form of NGOs (non-governmental organisations), where ownership of the property is transferred to the beneficiaries. This issue raises questions as to whether municipalities, instead of fulfilling their obligations on social housing, may be neglecting these responsibilities by prioritizing the construction of private housing, a practice not recognized within the Kosovo legal framework for social housing.

The report notes considerable progress of municipalities in a number of areas related to social housing since the 2013 report. Most municipalities drafted and implemented three-year social housing programs during the reporting period, increasing efforts for the provision of social housing, and the database of beneficiaries is mostly established and functioning. However, the lack of disaggregated data in many cases precludes municipalities from identifying and targeting those communities that are especially marginalised or disadvantaged, which complicates assessing whether the allocation of social housing is comprehensive and non-discriminatory. Moreover, housing construction with third parties has taken over part of the human and financial resources that municipalities should be allocating to fulfil their obligations for the provision of social housing pursuant to the legal framework.

While the efforts of the Ministry of Environment, Spatial Planning and Infrastructure (MESPI) and municipalities are commendable, a number of measures should be undertaken by relevant institutions to improve the provision of social housing in Kosovo. Municipalities should allocate the necessary human and financial resources for the development of comprehensive needs assessments and the creation and

1 OSCE Mission in Kosovo, "Assessment of the Provision of Social Housing by Municipalities in Kosovo" (November 2013), Available at <https://www.osce.org/files/f/documents/6/3/108196.pdf>, accessed on 10 January 2024

implementation of three-year social housing programs. Most importantly, the needs of vulnerable communities, including those in the numerical minority, victims of domestic violence and violence against women and persons with disabilities, should be accounted for by effectively disaggregating the data, actively reaching out to non-majority communities and increasing the number of beneficiaries from these groups. To support these efforts, MESPI should continue building the capacities of municipal officials, maintaining the database of beneficiaries and offering funding options for social housing programs. Based on these programs, the Ministry should draft a Kosovo-wide social housing strategy setting a uniform approach for all the municipalities. Finally, the issue of housing construction with third party actors should be addressed to ensure that institutions' social housing obligations are fulfilled within the parameters of the Law.

1. Introduction and background

The provision of social housing by Kosovo institutions is a vital measure to realize the right to adequate housing, which is recognized as a human right in the Universal Declaration of Human Rights (UDHR), directly applicable in Kosovo through its Constitution². Moreover, the European Convention of Human Rights (ECHR), also directly applicable in Kosovo, includes civil and political rights provisions interpreted by the European Court of Human Rights as leading to the development of housing rights, especially within Article 8 (respect for private life, family life, and home) and Article 1 of Protocol No. 1 to the ECHR (protection of possessions).

In 2010, Kosovo institutions enacted the Law on Financing Specific Housing Programs (hereafter, the Law on Social Housing) to adequately address the housing needs of families and individuals in Kosovo who are not economically capable of affording the free market prices of houses and who require support through the provision of social housing. According to this law, the provision of social housing is implemented through the financing of specific programs to make available housing for vulnerable communities, for which the municipalities have the mandate according to the Law on Local Self Government³. The beneficiaries of the rental contracts and/or housing bonus stemming from these programs are selected following criteria and procedures set out in the Law on Social Housing⁴. However, this law does not foresee the possibility of providing housing construction or reconstruction for the beneficiaries of the social housing.

The OSCE's report⁵ of 2013 on the provision of social housing by municipalities in Kosovo concluded that, while the efforts of a number of municipalities to implement social housing projects were commendable, a number of procedural concerns existed, notably in the selection of beneficiaries and the availability of comprehensive and disaggregated data⁶. In the years since the publication of this report, these concerns have not been fully

2 Kosovo Constitution, Article 22.

3 Law No. 03/L-040 on Local Self-Government, 2008, Article 17, point I. <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2530>, accessed on 10 January 2024.

4 Law No. 03/L-164 on Financing Specific Housing Programs, Articles 4, 5 and 11. <https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=2670>, accessed on 10 January 2024. Article 4 determines the categories of families which can benefit from the specific housing programs 1. Categories of families that can benefit from the specific housing programs include families which: 1.1. do not own apartment or house in own property; 1.2 are homeless as a result of house destruction during the last conflict in Kosovo; 1.3. possess a housing surface not conform housing standards defined for social and economical category; 2. The administration of requests for the specific housing programs is conducted by competent municipal bodies. 3. Housing standards under, sub-paragraph 1.3. paragraph 1 of this Article shall be determined by Administrative Instruction. Article 5 states that the criteria for determining the order of priority of families which can benefit from social housing programmes are housing status, income, health state, disability and family structure. Article 11 specifies the priorities for selection of beneficiaries of rent subsidy: families with many children; families that have a person with disabilities; families where the householder is a woman; divorced persons with children; and children with orphan status.

5 Supra note 1.

6 OSCE Mission in Kosovo, "Assessment of the Provision of Social Housing by Municipalities in Kosovo" (November 2013), Available at <https://www.osce.org/files/f/documents/6/3/108196.pdf>, accessed on 10 January 2024.

addressed by the municipalities. Moreover, the OSCE has noted an increased involvement in housing construction by third party actors in the form of charity organizations. This raises questions regarding the extent to which municipalities are fulfilling their obligations in accordance with the legal framework in Kosovo, as well as the level to which they are instead relying on private actors for the provision of social housing.

The purpose of this report is therefore to provide an up-to-date assessment of social housing programs and housing construction in Kosovo over the period from 2018 to 2023. Social housing programs refer to the housing support that municipalities provide in accordance with the Law on Social Housing. In social housing programs, the beneficiaries are offered housing support either in municipal housing units through a rental contract or by receiving a housing bonus⁷, while the property ownership over the housing unit remains with the municipality. Housing construction, on the other hand, refers to the practice of municipalities of reaching agreements with third party actors for the construction of individual private houses for families in need. In this case, the property ownership is transferred to the beneficiaries.

Based on the analysis of the data collected, the OSCE assesses the extent to which the responsible institutions have met the housing needs of vulnerable communities in Kosovo and whether they are fulfilling their obligations in accordance with the law and international standards or have more preferences for housing construction with third party actors. Lastly, the report will recommend actions for the responsible institutions to ensure that the housing rights of vulnerable groups such as non-majority communities, displaced persons (DPs), and women are adequately addressed.

The report is divided into seven chapters. Following the Introduction, Chapter Two will present the methodology used for gathering the relevant data and the preparation of the report. Chapter Three outlines the relevant international standards and the legal framework in Kosovo that govern the right to adequate housing and the provision of social housing. Chapter Four presents the data gathered on the development and implementation of social housing programs by the municipalities and housing construction throughout Kosovo. Chapter Five provides an analysis of the findings and an overview of the extent to which the obligations of municipalities and the Ministry to ensure the provision of social housing have been fulfilled as per the legal framework in Kosovo. Finally, the report presents a series of conclusions and recommendations on how to better realize the right to adequate housing through social housing projects (Chapters Six and Seven).

⁷ Housing bonuses are housing subsidies destined to partially cover the beneficiary's cost of rent in a house or apartment owed by natural or legal persons.

2. Methodology

The data gathered for this report is based on field monitoring by the OSCE regarding the provision of social housing by 34⁸ out of 38 municipalities in Kosovo and interviews with MESPI in the period between July 2018 and July 2023. The findings are presented for each region separately with a focus on the obligations of the municipalities in relation to social housing as per the Law on Social Housing.

In 2021, the OSCE prepared an internal preliminary assessment on the status of social housing in Kosovo. The OSCE collected data on the implementation of social housing programs by the municipalities and the housing construction undertaken in partnership with third party actors in the relevant period. Whenever possible, the data included the number of properties allocated, the number of beneficiaries, communities backgrounds and criteria for their selection. The data was reviewed and analyzed carefully and divided into two categories:

- Specific social housing programs carried out by municipalities with the aim of creating suitable and affordable housing for families and individuals economically not able to afford the free market prices of housing and who require housing support; and
- Housing construction outside the scope of social housing as per the Law on Social Housing, funded or co-funded by third actors. The latter include mostly private persons and NGOs.

The assessment found that a high number of social housing construction projects in Kosovo were being conducted by third party actors, instead of through social housing programs as envisaged by the law. Building on this assessment, the OSCE prepared a questionnaire to interview municipal and MESPI officials on their obligations to ensure the provision of social housing in Kosovo. The questionnaire focused on the obligations of municipalities to: carry out needs assessments; prepare and approve three-year social housing programs; select beneficiaries according to the criteria set in the law; address the needs of vulnerable communities, and in particular non-majority communities; allocate funding; plan social housing construction projects; and establish a database of beneficiaries. For MESPI, the questionnaire covered the Ministry's responsibilities in overseeing and financing social housing implementation, as well as the creation of a Kosovo-wide strategy and a database of beneficiaries.

⁸ No data from the northern municipalities of Mitrovica/Mitrovicë North, Leposavić/Leposaviq, Zvečan/Zveçan and Zubin Potok were available for the timeframe of this reporting.

The OSCE interviewed a total of 48 municipal officials between September 2022 and July 2023. This included municipal officers for social housing, municipal directors of social welfare and municipal officers for communities and returns⁹. *Ad hoc* interviews were conducted when clarifications or requests for additional information were required. The OSCE also interviewed the Head of the Division for Housing from the Department of Spatial Planning, Construction, and Housing at MESPI, who is responsible for the oversight of the implementation of the Law on Social Housing. The aim of the interviews was to find out the reasons for inadequate implementation of the law, delays or non-approval of programs, limited allocation of funds and limited implementation of social housing projects, as well as the reasons for preferences for partnerships with third party actors in housing construction.

⁹ Six municipal officers in Prishtinë/Priština region, seven in Prizren region, eight in Pejë/Peć, 18 in Gjilan/Gnjilane region and nine in Mitrovicë/Mitrovica region. Notably, the regions referred in this report are based on the OSCE's field presence and do not reflect the administrative regional division of Kosovo institutions.

3. International standards and Kosovo legal framework

International Standards

The right to adequate housing is enshrined in several international instruments directly applicable in Kosovo through its Constitution¹⁰, including the UDHR¹¹ and ECHR¹². Moreover, the duty to protect the right to life as recognized in the International Covenant on Civil and Political Rights includes taking appropriate measures “designed to promote and facilitate adequate general conditions, such as [...] social housing programs”¹³. In this regard, the Guidelines for the Implementation of the Right to Adequate Housing issued by the UN Human Rights Council (UNHRC) requires “that the authorities ensure the right to adequate housing”¹⁴. In addition, Article 11 (1) of the International Covenant on Economic, Social, and Cultural Rights (ICESCR) recognizes the obligation to take appropriate steps to ensure the realization of housing rights¹⁵. According to this obligation, due priority must be given “to those social groups living in unfavourable conditions” by giving them particular consideration, and policies and legislation should correspondingly not be designed to benefit already advantaged social groups at the expense of others¹⁶.

Furthermore, institutions must take immediate efforts to guarantee the right to adequate housing in accordance with the internationally recognized principle of non-discrimination. The International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) guarantees the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law in the enjoyment of the right to housing¹⁷. Thus, institutions must prohibit all forms of discrimination in housing

10 Kosovo Constitution, Article 22, point 1., https://www.assembly-kosova.org/Uploads/Data/Files/5/ConstitutionoftheRepublicofKosovovithamend.I-XXV_rwWEfAUpgP.pdf, accessed on 10 January 2024.

11 See Article 25, UDHR.

12 ECHR does not contain a right to housing per se. However, it includes civil and political rights provisions interpreted by the ECHR as leading to the development of housing rights, see Article 8 (respect for private life, family life, and home) and Article 1 of Protocol No. 1 to the ECHR (protection of possessions).

13 Human Rights Committee, General comment No. 36 (2018) on article 6 of the International Covenant on Civil and Political Rights, on the right to life, CCPR/C/GC/36, 3 September 2019, https://www.ohchr.org/sites/default/files/Documents/HRBodies/CCPR/GCArticle6/GCArticle6_EN.pdf, accessed on 10 January 2024.

14 Human Rights Council, Guidelines for the Implementation of the Right to Adequate Housing, A/HRC/43/43, 26 December 2019, para. 69, <https://www.undocs.org/A/HRC/43/43>, accessed on 10 January 2024.

15 In accordance with Section 1.3 of the amended UNMIK Regulation No. 1999/24 on the Law Applicable in Kosovo, 12 December 1999, persons undertaking public duties or holding public office are obliged to observe the provisions of the ICESCR and the UDHR.

16 Committee on Economic, Social and Cultural Rights, General comment No. 4, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolNo=INT%2FCESCR%2FGEC%2F4759&Lang=en, accessed on 10 January 2024.

17 International Convention on the Elimination of All Forms of Racial Discrimination, article 5 (e) (iii), <https://www.ohchr.org/EN/ProfessionalInterest/Pages/CERD.aspx>, accessed on 10 January 2024.

by public or private actors and guarantee not only formal but also substantive equality, which requires taking positive measures to address housing disadvantages and ensure equal enjoyment of the right to housing¹⁸.

In relation to victims of gender-based violence and violence against women, Article 23 of the Istanbul Convention¹⁹ on preventing and combatting violence against women and domestic violence of the Council of Europe says that the “Parties shall take the necessary legislative or other measures to provide for the setting-up of appropriate, easily accessible shelters in sufficient numbers to provide safe accommodation for and to reach out pro-actively to victims, especially women and their children”. Further, Article 20 states that the parties must also “take the necessary legislative or other measures to ensure that victims have access to services facilitating their recovery from violence”.

While there is no common definition of “social housing”, the term generally refers to publicly supported rental housing, where the properties are rented to the beneficiaries regardless of their tenure, targeted above all at low-income and generally disadvantaged households²⁰. The Organization for Economic Co-operation and Development (OECD) defines social housing as “residential rental accommodation provided at sub-market prices that is targeted and allocated according to specific rules”²¹. Considering its importance, UNHRC urges that social housing is prioritized over reliance on private sector investment²², as the decline in the total public social housing stock affects the availability of long-term affordable housing options for vulnerable communities²³.

The Kosovo Law on Social Housing does not provide any detail on what should be included in the municipal-level housing needs assessment. However, reporting guidelines issued by the ICESCR and a report by the OHCHR on indicators for monitoring the implementation of, *inter alia*, ICESCR rights (including the right to adequate housing), offer some guidance²⁴. Institutions should actively collect information about social housing

18 Human Rights Council, Guidelines for the Implementation of the Right to Adequate Housing, A/HRC/43/43, 26 December 2019, para. 48, <https://www.undocs.org/A/HRC/43/43>, accessed on 10 January 2024; Committee On Economic, Social And Cultural Rights, General comment No. 20, E/C.12/GC/20, 2 July 2009, para. 11, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolNo=E/C.12/GC/20&Lang=en, accessed on 10 January 2024.

19 Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention), available at <https://rm.coe.int/168046031c>, accessed on 10 January 2024. The Istanbul Convention is directly applicable in Kosovo through art. 22 (9) of the Constitution.

20 UNECE, “Guidelines on Social Housing: Principles and examples” (2006), available at UN Economic Commission for Europe, pp. 10 and 12, <https://unece.org/DAM/hlm/documents/Publications/guidelines.social.housing.pdf>, accessed on 10 January 2024.

21 OECD, “Social housing: A key part of past and future housing policy”, 2020, available at <https://www.oecd.org/social/social-housing-policy-brief-2020.pdf>, accessed on 10 January 2024.

22 UNHRC, “Report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context”, 15 January 2018, available at <https://www.undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2F37%2F53&Language=E&DeviceType=Desktop&LangRequested=False>, accessed on 10 January 2024.

23 Supra note 20.

24 See ICESCR, General Comment No. 4 (Art. 11(1)): The Right to Adequate Housing, UN Doc. E/1992/23, 13 December 1991; Report on Indicators for Promoting and Monitoring the Implementation of Human Rights, UN Doc. HRI/MC/2008/3, 6 June 2008, p. 29, http://www2.ohchr.org/english/issues/indicators/docs/HRI.MC.2008.3_en.pdf, accessed on 10 January 2024, 2023.

waiting lists and public expenditures on social housing, and monitor and evaluate the housing status of potential beneficiaries based on standards and indicators of adequate housing. This evaluation should be proactive and comprehensive to avoid excluding individuals who do not directly apply to the municipality for housing assistance. In other words, tracking *ad hoc* individual housing requests should not be considered enough to provide an accurate picture of the social housing needs for a given municipality²⁵.

Legal Framework in Kosovo

The legal framework in Kosovo reaffirms the obligations of government institutions to realize the right to adequate housing. The Law on Social Housing and its related Administrative Instructions (AI) were adopted in 2010 with the aim of providing access to adequate housing for those who cannot otherwise afford it²⁶. The legal framework firmly establishes that the provision of social housing is a municipal-level responsibility²⁷, while MESPI is the body responsible for supervising the implementation of the law²⁸. While the Government is currently in the process of reviewing the Law on Social Housing, the municipalities still have an obligation to provide social housing support pursuant to the existing legal framework on local governance.

The obligations of each municipality include, among others: (i) identifying the housing needs of its residents; (ii) drafting three-year programs and projects for housing based on their financial resources; (iii) providing construction sites and developing infrastructure for implementation of housing programs; (iv) presenting requests for financing new investments and subsidies to the Ministry; (v) creating and administering the database for family beneficiaries of housing programs; (vi) providing construction²⁹. MESPI is responsible for drafting three-year strategies for housing based on the three-year programs of municipalities, planning the budget in order to support the realization of annual housing programs and establishing a database at the central level³⁰.

According to the Law on Social Housing, the provision of housing shall be done through financing specific programs for renting housing, which includes: (1) dwellings constructed by municipalities, the government or donors, given with rent contracts; (2) existing dwellings in the ownership of natural or legal persons, which may be rented for families benefiting from a housing bonus; and (3) other dwellings on the ownership of municipality that may be adopted for utilization based on specific housing programs³¹. The law does not currently contemplate the possibility of providing housing construction (or reconstruction) where the ownership is transferred to the beneficiaries. While housing

25 See also *supra* note 6, pp. 11-12.

26 Law No. 03/L-164 on Financing Specific Housing Programs, 27 March 2010 (Law on Social Housing), Article 1.

27 See Article 17.1, Law No. 03/L-040 on Local Self Government, 15 June 2008.

28 Law on Social Housing, article 27.

29 Law on Social Housing, article 25.

30 Law on Social Housing, article 24.

31 Law on Social Housing, article 3.

programs can be financed by MESPI, by municipal funds or by contributions from different donors, public spending on housing construction where the property is transferred to individuals is not envisaged by the law.

Kosovo institutions have an obligation to exercise their responsibilities in accordance with the “principles of equality of all individuals before the law and with full respect for internationally recognized fundamental human rights and freedoms, as well as protection of the rights of and participation by all communities and their members”³². Municipalities play a key role in ensuring an equal right to adequate housing and, in this regard, collection of disaggregated data is paramount to ensure the provision of services to non-majority communities. Moreover, although victims of domestic violence and violence against women are not included in the criteria of the Law on Social Housing, the Strategy on Protection Against Domestic Violence and Violence Against Women (2022-2026) specifically envisages the development of three-year social housing programs in the municipalities and planning of social housing for these individuals³³ Furthermore, the Law on Prevention and Protection from Domestic Violence, Violence Against Women and Gender-Based Violence foresees “providing permanent housing for victims of domestic violence through social housing or financial support to enable housing”³⁴.

32 Kosovo Constitution, article 3.2

33 Strategy on Protection Against Domestic Violence and Violence Against Women (2022-2026), p. 106.

34 Law No. 08/L-185 on Prevention and Protection from Domestic Violence, Violence Against Women and Gender-Based Violence. <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2691&langid=2>

4. Field data per region

This chapter presents the findings for all five regions in Kosovo³⁵, specifying the implementation of social housing programs in the period between 2018 and 2023 for each municipality. The report focuses on the obligations of the municipalities in relation to social housing as per the Law on Social Housing, and in particular on three main topics or obligations: approval of three-year housing programs, including construction of social housing, housing bonuses and beneficiaries; conducting the needs assessment, and; establishing a database of beneficiaries.

Housing construction where ownership of the property is transferred to the beneficiaries is not recognized by the law as a measure to address social housing or as part of social housing programs. However, municipalities often conclude agreements with third parties for the construction of houses instead of implementing social housing programs as per the legal framework, either for budgetary reasons, because they consider this approach more cost-effective, or to facilitate the provision of housing by involving third parties. Given its effect in the fulfilment of social housing responsibilities, this chapter will also provide an overview of the cases of housing construction with private actors in the five regions.

Prishtinë/Priština region

(1) Social Housing Programs

In the Prishtinë/Priština region during the reporting period, one municipality approved one three-year social housing program³⁶ and four municipalities had two programs approved³⁷. Only Prishtinë/Priština municipality did not approve any program. In Shtime/Štimlje, the program was never implemented, partially due to the COVID-19 pandemic³⁸. Some municipalities allocated budgets for social housing programs³⁹ whereas other municipalities only allocated funds for housing bonuses⁴⁰, or did not allocate any budget⁴¹.

35 Supra note 9.

36 Obiliq/Obilić municipality.

37 Shtime/Štimlje, Fushë Kosovë/Kosovo Polje, Lipjan/Lipljan and Gračanica/Graçanicë municipalities.

38 As of July 2023, was in the process of concluding a new three-year social housing programme for the period 2023-2025.

39 Obiliq/Obilić, Shtime/Štimlje, Gračanica/Graçanicë municipalities.

40 Prishtinë/Priština municipality.

41 Lipjan/Lipljan municipality.

Municipality	Approved three-year social housing programs
Prishtinë/Priština	-
Shtime/Štimlje	2020-2022 2023-2025
Obiliq/Obilić	2023-2025
Fushë Kosovë/Kosovo Polje	2019-2021 2022-2024
Lipjan/Lipljan	2016-2019 2023-2025
Gračanica/Gračanicë	2015-2018 2022-2025

Table 1: Approved three year-social housing programs per municipality in Prishtinë/Priština region

While all the municipalities in this region conducted needs assessments for social housing, it is noted that in some municipalities the needs assessment was based on applications⁴² or requests made to the Center for Social Work (CSW) or the municipal Department/Directorate of Health and Social Welfare (DHSW)⁴³, rather than a thorough, detailed assessment of housing needs, as required by the law. In Shtime/Štimlje, according to the database for 2023-2025, currently there are 42 families in need of social housing (10 families of Kosovo Roma, Kosovo Ashkali and Kosovo Egyptian communities and 32 Kosovo Albanian families). In Obiliq/Obilić, the needs assessment conducted in 2022 identified 165 families in need, including four families belonging to the Kosovo Roma, Kosovo Ashkali and Kosovo Egyptian communities⁴⁴.

In Prishtinë/Priština and Obiliq/Obilić, the municipality provided housing bonuses for between 10 and 19 families per year, including some from non-majority communities⁴⁵, but the municipalities do not have disaggregated data of beneficiaries. In 2023, Fushë Kosovë/Kosovo Polje was providing housing bonuses for 20 families, including two from non-majority communities. Concerning social housing apartments in the reporting period, in Obiliq/Obilić the municipality implemented a project for 35 families in the housing complex HADE⁴⁶, whereas in Fushë Kosovë/Kosovo Polje currently there are 58 families residing in the municipal housing buildings⁴⁷.

In 2018, Lipjan/Lipljan municipality selected 21 beneficiaries⁴⁸, including two from the Kosovo Ashkali community. In 2022, out of 80 applications received, the municipality

42 Gračanica/Gračanicë and Obiliq/Obilić municipalities. In Gračanica/Gračanicë, however, the municipality visited all applicants on the field.

43 Shtime/Štimlje, Fushë Kosovë/Kosovo Polje and Lipjan/Lipljan municipalities. Fushë Kosovë/Kosovo Polje representatives stated that they did not conduct a detailed assessment of housing needs due to limited resources.

44 The assessment in Obiliq/Obilić municipality included field visit to assess the living conditions of potential beneficiaries.

45 In Prishtinë/Priština, it was specified that the families from non-majority communities belonged to the Kosovo Ashkali community.

46 The beneficiaries included single mothers. According to the municipality, there were no applications from non-majority communities even though the call for applications was published in the notice board and municipal webpage and they were notified by members of the municipal communities committee.

47 None from non-majority communities.

48 15 men and six women.

selected 10 beneficiaries for municipally-owned social housing apartments⁴⁹. In Gračanica/Graçanicë municipality, most beneficiaries of social housing programs belong to the Kosovo Serb community and some to the Kosovo Roma, Kosovo Ashkali and Kosovo Egyptian communities. Between 2018 and 2023, the municipality signed social housing tenancy agreements with vulnerable families and young couples for the use of 25 apartments in Suvi Do/Suhadoll, including four families belonging to the Kosovo Roma, Kosovo Ashkali and Kosovo Egyptian communities, and allocated 12 apartments in Donja Gušterica/Gushtericë and 23 in Laplje Selo/Llapllasellë to young couples⁵⁰. Neither Lipjan/Lipljan municipality nor Gračanica/Graçanicë provided housing bonuses or housing bonuses for residents.

Municipality	Social housing apartments		Social housing bonuses	
	Total no. of beneficiaries	Beneficiaries from non-majority communities	Total no. of beneficiaries	Beneficiaries from non-majority communities
Prishtinë/Priština	-	-	19	No disaggregated data available
Shtime/Štimlje	-	-	0	0
Obiliq/Obilić	35	0	0	0
Fushë Kosovë/ Kosovo Polje	58	0	20	2 (10%)
Lipjan/Lipljan	31	2 (~6%)	0	0
Gračanica/Graçanicë	60	4 (~10%)	0	0

Table 2: Beneficiaries of social housing apartments and bonuses in Prishtinë/Priština region

Only Prishtinë/Priština, Obiliq/Obilić and Gračanica/Graçanicë municipalities have a functioning database of beneficiaries. In Fushë Kosovë/Kosovo Polje, the database is only partially established and not functional, and in Lipjan/Lipljan it was not created as of July 2023. The selection of beneficiaries was mostly conducted according to the regular criteria set out in the law: residential status, income, health state, disabilities, family structure⁵¹. Prishtinë/Priština municipality also included in priority categories ‘families of

49 Including three women. No members from non-majority communities.

50 Before the reporting period, Gračanica/Graçanicë municipality allocated municipal land for construction of social housing units in Gračanica/Graçanicë, Laplje Selo/Llapllasellë, Donja Gušterica/Gushtericë e Ulët, Suvi Do/Suhadoll, Ugljare/Uglar and Dobrotin/Dobratin. In Fushë Kosovë/Kosovo Polje municipality, the only housing area is in village Miradi e Eperme/Gornje Dobrovo where the housing buildings are located and currently in use.

51 Lipjan/Lipljan, Gračanica/Graçanicë, Fushë Kosovë/Kosovo Polje.

martyrs⁵² and war veterans but not non-majority communities⁵³, whereas in Gračanica/Graçanicë, DPs/returnees and young married couples were also a priority. Shtime/Štimlje, Obiliq/Obilić, Fushë Kosovë/Kosovo Polje municipalities included victims of domestic violence and violence against women as a category of beneficiaries.

(2) Housing construction

In the Prishtinë/Priština region, Prishtinë/Priština municipality has not currently foreseen or allocated funds for any housing construction with third parties. The municipality refers to the Law on Social Housing to argue that the implementation of social housing projects in partnership with private entities creates a conflict of interest. Similarly, Fushë Kosovë/Kosovo Polje and Gračanica/Graçanicë municipalities have not planned housing construction projects with any third party. On the other hand, Shtime/Štimlje⁵⁴ and Obiliq/Obilić⁵⁵ municipalities have implemented housing construction projects with Jetimat e Ballkanit (Balkan Orphans)⁵⁶. In Lipjan/Lipljan, there are currently no agreements or any Memorandum of Understanding (MoU) for the construction of housing buildings, but the municipality is planning to create a platform for potential donors for the implementation of social housing construction where the property ownership would remain with the municipality.

Prizren region

(1) Social Housing Programs

In the Prizren region, only three out of six municipalities had at least one three-year social housing program approved during the reporting period⁵⁷, and only Rahovec/Orahovac municipality had two programs approved. Malishevë/Mališevo municipality drafted a three-year social housing program for 2017-2020, but by July 2023 it had not been sent to the municipal assembly for approval⁵⁸. Only Prizren and Rahovec/Orahovac municipalities had allocated specific funds in their budget for social housing programs or

52 This includes families of killed Kosovo Liberation Army (UÇK) members during the 1998-1999 conflict in Kosovo.

53 Prishtinë/Priština municipality's social housing project in 2017 allocated social housing units to 100 beneficiary families of war veterans, people with special needs and 'families of martyrs'.

54 In February 2023, the mayor of Shtime/Stimlje signed a Memorandum of Understanding (MoU) with the director of the charity organization Jetimat e Ballkanit in February 2023 to co-fund a project for construction of houses for 30 vulnerable families, to be completed within three years.

55 In Obiliq/Obilić, the municipality implemented one project with the NGO "Jetimat e Ballkanit", for the construction of 20 houses. The MoU was signed in June 2020.

56 See at: <http://jetimat.com/?fbclid=IwAR0zohIoggGg0P4CDZFms-Vc1kjaYBXpLrR5qQzMvbrdkDSKcIfBZSO2Xc>

57 Prizren, Rahovec/Orahovac and Suharekë/Suva Reka.

58 As of July 2023, the programme was being reviewed and updated. According to the municipality, the draft could not be finalized due to the lack of enough human resources.

projects⁵⁹. All the municipalities had a functional database of beneficiaries except for Rahovec/Orahovac⁶⁰ and Mamuša/Mamushë/Mamuša municipalities.

Municipality	Approved three-year social housing programs
Prizren	2019-2021
Malishevë/Mališevo	-
Rahovec/Orahovac	2019-2021 2022-2024
Dragash/Dragaš	-
Suharekë/Suva Reka	2019-2021
Mamuša/Mamushë/Mamuša	-

Table 3: Approved three year-social housing programs per municipality in Prizren region

None of the municipalities in the region conducted a detailed needs assessment; instead, they identified the social housing needs of residents based on *ad hoc* requests from individuals, often submitted to the mayor or the directorate of social welfare. In Prizren municipality, the municipal offices for communities and returns (MOCR) provide information on non-majority communities and DPs, while the CSW drafts the action plan for provision of social housing to victims of domestic violence and violence against women.

In Prizren municipality, for the period 2020-2022, out of 184 applications, 84 residents benefited from housing bonuses, out of which one family was from the Kosovo Roma community⁶¹. In the program for 2023-2025, the municipality identified zones for the construction of social housing apartments.⁶² On the other hand, between 2018 and 2020, the municipality constructed 60 apartments for ‘martyrs’ families⁶³ and initiated the construction of another 60. Prizren municipality included in its municipal housing program private housing construction, housing renovation and roof renovation as categories of social housing benefits, even though they do not constitute social housing benefits according to the Law.

59 Suharekë/Suva Reka municipality has not yet allocated budget for social housing, but they applied to MESPI for housing bonuses for its residents.

60 Rahovec/Orahovac municipality has established the database but it is not fully functional yet.

61 Other support provided included house construction, house renovations and roof renovations, which are not social housing benefits pursuant to the Law.

62 The municipality is co-ordinating with the Ministry of Finance, Labour and Transfers (MFLT) for financing the social housing projects.

63 The houses are constructed within a project of the DHSW of Prizren municipality targeting ‘families of martyrs’, ‘war veterans’, war survivors with disabilities and disadvantaged families. While these apartments are in principle intended to remain social housing units owned by the municipality, in practice it appears that the property ownership is transferred to the families. For more information about these projects, please see <https://kk.rks-gov.net/prizren/wp-content/uploads/sites/26/2019/02/Raporti-i-punes-janar-dhjetor-2018-DMS.pdf>; <https://kk.rks-gov.net/prizren/wp-content/uploads/sites/26/2020/01/DPMS-Raporti-i-punes-2019-1.pdf>, accessed on 10 January 2024.

Malishevë/Mališevo municipality received 28 applications for social housing⁶⁴ in 2021 and 2022. Five families were selected by the commission and signed contracts for the use of the right to social housing for a period of three years⁶⁵, while the other 23 requests are on a waiting list⁶⁶. In 2021, the municipality concluded the construction of a social housing centre with 45 apartments dedicated for social housing cases⁶⁷ and in 2022 the municipality selected all 45 beneficiaries⁶⁸.

Suharekë/Suva Reka municipality does not have social housing buildings or housing units; instead, they provide housing bonuses. In 2022, the municipality received 12 requests (nine from single mothers) and in December the municipal commission for housing bonus selected seven beneficiaries (all single mothers, Kosovo Albanian). In the 2019-2021 program, the municipality allocated a parcel of 5,000 m² for construction of a block-building with 16 units for social housing but the project was put on hold due to lack of funding⁶⁹.

In 2019, Dragash/Dragaš municipality constructed 12 houses for social cases in Gora villages. All 12 houses were intended for non-majority communities (Kosovo Gorani and Kosovo Bosniaks, including six houses for single mothers) and the property ownership was transferred.

Rahovec/Orahovac received 60 social housing requests in the reporting period but no applicant benefited from social housing, even though the municipality had two programs approved during the reporting period, because the social housing building was still under construction⁷⁰. Concerning housing construction, the municipality identified a location for one social housing building with 18 housing units, which was almost fully constructed by the end of the reporting period.

64 The municipality also received 67 requests for housing construction, which were shared with the NGO Jetimat e Ballkanit.

65 All five families belong to the Kosovo Albanian community.

66 The selection criteria were: housing status; income rate; health status; disability of family members; family structure. Other additional criteria were families led by single parents, families that take care of orphans and “close families of the fallen”.

67 The investment was EUR 650.000, and it was financed by the MLSW.

68 One Kosovo Roma, the rest were Kosovo Albanians. However, as of the end of the reporting period there was no confirmation that any of these families are using the apartments.

69 The planned budget was EUR 300,000 - of which EUR 60,000 came from the municipal budget, and the rest from the MESPI.

70 Reportedly, they were facing delays due to budget constraints.

Municipality	Social housing apartments		Social housing bonuses	
	Total no. of beneficiaries	Beneficiaries from non-majority communities	Total no. of beneficiaries	Beneficiaries from non-majority communities
Prizren	-	-	84	1 (~1%)
Malishevë/Mališevo	50	1 (~1%)	-	-
Rahovec/Orahovac	-	-	-	-
Dragash/Dragaš	-	-	-	-
Suharekë/Suva Reka	-	-	7	0
Mamuša/Mamushë/Mamuša	-	-	-	-

Table 4: Beneficiaries of social housing apartments and bonuses in Prizren region

Mamuša/Mamushë/Mamuša municipality does not have any social housing units and has not received any requests for social housing. It is noted however that the municipality claims that there are no social housing needs based on the absence of requests rather than on a needs assessment.

(2) Housing construction

In the Prizren region, all municipalities except Mamuša/Mamushë/Mamuša concluded MoUs with private actors (mainly Jetimat e Ballkanit and, to a lesser extent with Qatar Charity) for the constructions of houses for “families in need”⁷¹. In Prizren municipality, the municipality provided 50 per cent of the budget as per their agreement with Jetimat e Ballkanit, whereas Rahovec/Orahovac and Suharekë/Suva Reka municipalities participated with EUR 5,000 for each house. In Rahovec/Orahovac, it was specified that the houses were built on the beneficiaries’ property. Prizren, Rahovec/Orahovac and Dragash/Dragaš reported that the beneficiaries were selected according to the criteria set in the Law on Social Housing. Dragash/Dragaš municipality cited lack of municipal land as a reason for concluding this type of arrangement. Even though Malishevë/Mališevo municipality representatives stated that they do not have a financing program with private donors, an MoU was signed with Qatar Charity for the construction of 10 houses; nine beneficiaries belonged to the Kosovo Albanian community and one to Kosovo Roma. In most cases, the selection of beneficiaries was concluded by mixed commissions with one or more members appointed by the donor and the beneficiaries were reportedly selected according to the criteria set in the Law on Social Housing.

71 Prizren, Rahovec/Orahovac, Dragash/Dragaš and Suharekë/Suva Reka signed MoUs with Jetimat e Ballkanit.

Pejë/Peć region

(1) Social Housing Programs

In the Pejë/Peć region, five out of six municipalities had at least one three-year social housing program approved during the reporting period⁷², with Istog/Istok having two approved programs with a two-year gap in between. In Pejë/Peć municipality, the 2018-2020 three-year program is outdated but the municipality has not yet undertaken any action for its renewal. Junik municipality did not prepare any program, conduct any needs assessment or receive any requests for social housing as municipality representatives consider that there are no social housing needs in their municipality. The programs of three municipalities (Gjakovë/Đakovica, Istog/Istok and Klinë/Klina) foresee reviewing the status of existing families that benefit from social housing as well as provision of social housing support through both housing bonuses and allocation/construction of social housing apartments, and an increase in the number of beneficiaries⁷³.

Municipality	Approved three-year social housing programs
Pejë/Peć	2018-2020
Gjakovë/Đakovica	2021-2023
Deçan/Deçane	2018-2020
Istog/Istok	2016-2019 2023-2025
Junik	-
Klinë/Klina	2022-2025

Table 5: Approved three year-social housing programs per municipality in Pejë/Peć region

Municipalities in this region appeared to have conducted a more thorough assessment of housing needs. In Istog/Istok municipality, in particular, the assessment was conducted by the relevant departments, including the MOCR, and it targeted among others members from non-majority communities and victims of domestic violence and violence against women⁷⁴, while Gjakovë/Đakovica municipality engaged an NGO to conduct a situation analysis⁷⁵. The assessment concluded that about 121 families and/or individuals are in need of social housing⁷⁶. Similarly, Klinë/Klina municipality assessed for its 2022-2025 program that about 120 families are considered to be urgent cases for social housing. Based on its needs assessment, the municipality envisages in its 2022-2025

72 Gjakovë/Đakovica, Deçan/Deçane, Istog/Istok and Klinë/Klina.

73 Klinë/Klina foresees provision of housing for additional 36 families and 20 for housing bonus scheme, Gjakovë/Đakovica for 113 new families in need of social housing

74 The targeted beneficiaries include homeless families; families that lack living standards; single-parent families; returnees, and Kosovo Roma, Kosovo Ashkali, and Kosovo Egyptian families in need; repatriated persons; women victims of domestic violence; 'families of martyrs' and related categories, and former politically prosecuted persons; families caring for orphans; and persons with disabilities.

75 NGO "Developing together".

76 The municipality received for its 2021-2023 social housing program 51 requests for social housing, 22 of them to housing bonuses.

program the construction of one residential building with 16 units for 16 families⁷⁷. Of note, 10 per cent of beneficiaries are reserved for non-Albanian communities. In Pejë/Peć, although the municipality conducted a thorough needs assessment at the time of the 2013 report, after that period it relied on individual requests to assess housing needs. According to such requests, the municipality estimates that there are 120 families in need of housing, including Albanian and non-Albanian communities⁷⁸.

Pejë/Peć municipality currently provides housing to 60 families in collective buildings constructed before 2010 through donations and/or inherited from the previous system before 1999. The families were selected in 2011 through a municipal commission⁷⁹. While the municipality's program also envisaged the provision of housing bonuses, the support never materialized. In Gjakovë/Đakovica municipality, as of July 2023, 58 families were beneficiaries of social housing in the municipality through previous housing projects, including members of non-majority communities and victims of domestic violence and violence against women⁸⁰. Forty-eight families are residing in two collective buildings managed by the municipality and built before 2011 with an agreement between the government and municipal level,⁸¹ whereas the remaining 10 receive housing bonuses⁸². Moreover, the municipality provides support in financing rent for victims of domestic violence and violence against women within the framework of the 2021-2023 program.

Istog/Istok municipality provided housing to 22 families⁸³ in a municipal-owned collective housing building, and housing bonuses to 10 families, including one Kosovo Egyptian family and one Kosovo Bosniak woman victim of domestic violence⁸⁴. The municipality conducted the selection of the beneficiaries before 2010⁸⁵. Deçan/Dečane municipality provided social housing to 17 families in need (16 Kosovo Albanian and one Kosovo Bosniak) during the reporting period⁸⁶ and three families were provided with housing

77 In total, EUR 27,000 is envisaged to be allocated for the housing bonus scheme and EUR 309,900 for the construction of the residential building. In co-operation with MESPI and the Ministry of Labour and Social Welfare, the municipality already built four residential buildings with 106 housing units for beneficiaries comprising self-supporting mothers, communities, 'families of martyrs', people with special needs, etc.

78 In its 2020-2028 municipal development plan, the municipality envisages that by 2025 it will positively respond to 50 per cent of the cases.

79 The beneficiaries include families whose living space was below the living standards, families emerging from the conflict and political persecution, returnees, communities and repatriated families and elderly people. Data on community background of the beneficiaries are not available.

80 No breakdown of numbers available. The majority of beneficiaries come from the Kosovo Albanian community but the Kosovo Roma, Kosovo Ashkali and Kosovo Egyptian beneficiaries particularly benefit from housing bonuses.

81 Considering that the candidates were selected more than a decade ago, these 48 families would be reassessed with the new housing project.

82 These beneficiaries of the social housing program include families in difficult socio-economic conditions who cannot provide housing for themselves; 'families of martyrs', persons with disabilities, war veterans and people with special needs, single women with children in their care; victims of domestic violence; as well as families who may be left without a home, as a result of various natural or man-made disasters (e.g. damage to the residential building in the event of a fire disaster).

83 All belonging to the Kosovo Albanian community.

84 The beneficiaries included families in difficult socio-economic conditions who cannot provide housing for themselves, 'families of martyrs', persons with disabilities, war veterans and people with special needs, single parent families, etc.

85 With the recently approved three-year social housing program, the municipality envisages establishing a commission for reassessing the current beneficiaries.

86 The families reside in a municipal building constructed by the Government in 2006.

bonuses⁸⁷, all selected before 2018⁸⁸. Klinë/Klina municipality currently has 75 beneficiaries of social housing⁸⁹, out of which 30 are from non-majority communities⁹⁰, and three family beneficiaries of housing bonuses⁹¹.

Municipality	Social housing apartments		Social housing bonuses	
	Total no. of beneficiaries	Beneficiaries from non-majority communities	Total no. of beneficiaries	Beneficiaries from non-majority communities
Pejë/Peć	60	No disaggregated data available	0	0
Gjakovë/Đakovica	48	No disaggregated data available	10	No disaggregated data available
Deçan/Dečane	17	1 (6%)	3	0
Istog/Istok	22	0	10	2 (20%)
Junik	-	-	-	-
Klinë/Klina	75	30 (40%)	3	No disaggregated data available

Table 6: Beneficiaries of social housing apartments and bonuses in Pejë/Peć region

Most municipalities in Pejë/Peć region had not yet established a database of beneficiaries or their database is not fully functional, even when they currently have social housing beneficiaries in their municipalities⁹². Only Gjakovë/Đakovica municipality had a functioning database. Junik municipality established a database, but it remains unused. Of note, most municipalities (Gjakovë/Đakovica, Deçan/Dečane, Istog/Istok and Klinë/Klina) included within their priority beneficiaries ‘families of martyrs’ and ‘war veterans’.

87 All from Kosovo Albanian community.

88 The beneficiaries belong to categories of families that do not have a residence or a house in individual ownership; are left homeless, as a result of the damage to their houses during the conflict in 1999; possesses residential areas below the residential norms; families with many children; families that include persons with disabilities; and single-parent families.

89 In total, the municipality provides housing support for 106 beneficiaries: 75 social housing beneficiaries, 35 families affected by the conflict in 1999, one returnee family and four repatriated.

90 The categories of beneficiaries who have benefited from social housing include persons from the Kosovo Roma, Kosovo Ashkali and Kosovo Egyptian communities and victims of domestic violence and violence against women. Other categories include families that do not have individually owned houses; families without housing - as a result of house damage during the conflict 1999; families that own living space below the living standards, as per respective social and economic category; “war survivors”, which generally includes ‘families of martyrs’, war veterans and victims of sexual violence during the conflict; repatriated persons; categories of elderly and young people; single parent families.

91 All from the Kosovo Albanian community.

92 Pejë/Peć, Deçan/Dečane, Istog/Istok, and Klinë/Klina. In Klinë/Klina, the data for the beneficiary families are included within the Budget and Finance Directorate.

(2) Housing construction

In Pejë/Peć region, Pejë/Peć, Gjakovë/Đakovica, Deçan/Deçane and Klinë/Klina⁹³ municipalities also implement housing construction projects with third party actors through MoUs. In the reporting period, Pejë/Peć municipality concluded agreements with Jetimat e Ballkanit for the construction of 27 houses for “families in need”⁹⁴. A joint commission with members of the municipality and the NGO was established to select the beneficiaries, but since 75 percent of the project is financed by the NGO, the latter retains the right to decide on the selection of beneficiaries.

Gjakovë/Đakovica municipality reached several agreements with the NGOs “Jetimat e Ballkanit” and “Bereqeti”⁹⁵. The municipality considers that any kind of co-operation that could contribute to addressing housing issues of people in need is welcomed and emphasized that each co-operation agreement is based on an MoU that specifies the role of each party. According to the representatives of the municipality, the targeted beneficiary groups are people with difficult socio-economic conditions who cannot provide housing for themselves.

Deçan/Deçane municipality is implementing social housing projects with Jetimat e Ballkanit due to the limited municipal budget to meet the needs of families in need. Municipal representatives consider that if the apartments are built on private property by the donors there is no conflict of interest. The criteria for selection of beneficiaries are set depending on the project, and the selection is made by a joint commission. Istog/Istok and Junik municipalities are not implementing any housing construction projects with the involvement of private donors, but would be open for co-operation.

Mitrovicë/Mitrovica region

(1) Social Housing Programs

In Mitrovicë/Mitrovica region, all five municipalities in the southern area had at least one three-year social housing program approved for the reporting period⁹⁶. Two municipalities (Mitrovicë/Mitrovica South and Podujevë/Podujevo) had two consecutive programs approved. Glogoc/Glogovac was in the process of adopting a new one, whereas in Vushtrri/Vučitrn, a new program had not yet been drafted due to the change of local government. Most municipalities identified areas for housing construction,

93 In 2021, the municipality signed a MoU with the NGO “Jetimat e Ballkanit” for the construction of 10 houses for families in need. The cost of the project was EUR150,000, while the municipality participated with EUR 50,000.

94 According to the agreement, Jetimat e Ballkanit constructs the houses and the municipality contributes with EUR 5,000 per house. No municipal property (land) was allocated for this purpose.

95 In 2021, a MoU was reached between the municipality and the NGO “Jetimat e Ballkanit” for the construction of houses for families living in difficult conditions. The amount of the project was EUR 205,000, where the municipality participated with EUR 50,000.

96 Mitrovicë/Mitrovica South, Podujevë/Podujevo, Glogoc/Glogovac, Skënderaj/Srbica and Vushtrri/Vučitrn.

although on private properties,⁹⁷ and three allocated budgets for financing the programs⁹⁸. Podujevë/Podujevo municipality stated that they do not have a sufficient budget for housing programs and instead contribute to construction of housing by third parties. Only two municipalities had requested funding from MESPI⁹⁹.

Municipality	Approved three-year social housing programs
Mitrovicë/Mitrovica South	2019-2022 2022-2025
Podujevë/Podujevo	2019-2022 2023-2025
Glllogoc/Glogovac	2019-2021
Skënderaj/Srbica	2020-2023
Vushtrri/Vučitrn	2019-2021

Table 7: Approved three year-social housing programs per municipality in Mitrovicë/Mitrovica region

All municipalities included in this report stated that they identified social housing needs of residents based on the requests that they received from families¹⁰⁰ (and in some cases site visits)¹⁰¹, including those of vulnerable communities, instead of conducting a thorough needs assessment. Glllogoc/Glogovac municipality, in particular, received the list of requests from the village council and the CSW, the latter providing the data on housing needs of vulnerable communities, including non-majority communities and DPs.

Representatives from Podujevë/Podujevo municipality stated that around 90 per cent of the requests they receive are considered families in need of housing, of which 99 per cent are Kosovo Ashkali and Kosovo Roma families. On the other hand, Skënderaj/Srbica municipality claimed that, although they give priority to non-majority communities, in recent years they have not received any requests from these communities¹⁰². Concerning victims of domestic violence and violence against women, some municipalities¹⁰³ mention allocation in shelters as an alternative when social housing provision is not possible, even though the two solutions differ in nature (social housing as long-term solution as opposed to shelters for urgent cases).

The Mitrovicë/Mitrovica South municipality 2022-2025 program aims to grant housing bonuses to 60 families¹⁰⁴ with severe economic and social conditions. Ten per cent of the

97 Mitrovicë/Mitrovica South, Podujevë/Podujevo, Skënderaj/Srbica and Vushtrri/Vučitrn. Glllogoc/Glogovac. Municipality representatives stated that they do not construct in municipal properties, only in private properties (the owner's property or donated property from the private donors).

98 Mitrovicë/Mitrovica South, Skënderaj/Srbica and Vushtrri/Vučitrn.

99 Glllogoc/Glogovac a request for funding to MESPI for the repair/maintenance of two existing municipal social housing buildings

100 Mitrovicë/Mitrovica South municipality received over 300 requests in 2022. Skënderaj/Srbica municipality receive 40-50 requests every year. In Podujevë/Podujevo, they received 77 requests in 2022, 131 in 2021, 143 in 2020, 78 in 2019 and 55 in 2018.

101 Vushtrri/Vučitrn municipality.

102 According to the municipality representatives, the calls are always published in Albanian and Serbian. It is noted however that the municipality did not seem to carry out any proactive outreach activity or needs assessment.

103 Mitrovicë/Mitrovica South, Glllogoc/Glogovac and Skënderaj/Srbica.

104 The housing programme also includes the construction of 6 houses on private property, which is not social

housing assistance (including repairs) is foreseen to be provided to non-majority communities, especially Kosovo Roma, Kosovo Ashkali and Kosovo Egyptian communities. The municipality still supports beneficiaries of the 289 housing units built in the Roma Mahalla and “2 Korriku neighborhoods” between 2005 and 2011¹⁰⁵, all from non-majority communities. The families were selected in 2011 but, according to the municipality, their status never changed.

In Skënderaj/Srbica, 100 families are accommodated in three social housing buildings. While the municipality does not have disaggregated data of the beneficiaries, according to OSCE reporting, the beneficiaries are ‘families of martyrs’. Glllogoc/Glogovac has 49 family beneficiaries residing in two buildings with 25 apartments each¹⁰⁶. The beneficiaries of previous projects were selected in accordance with the Law on Social Housing, through public announcement, following the review of a commission and the approval of the Municipal Assembly.

Municipality	Social housing apartments		Social housing bonuses	
	Total no. of beneficiaries	Beneficiaries from non-majority communities	Total no. of beneficiaries	Beneficiaries from non-majority communities
Mitrovicë/Mitrovica South	289 in Roma Mahalla/2Korriku 91 through public-private agreements	No disaggregated data available	0	0
Podujevë/Podujevo	0	No disaggregated data available	0	0
Glllogoc/Glogovac	49	1 (6%)	0	0
Skënderaj/Srbica	100	0	0	0
Vushtrri/Vučitrn	0	0	16	-

Table 8: Beneficiaries of social housing apartments and bonuses in Mitrovicë/Mitrovica region

Glllogoc/Glogovac municipality foresees in its three-year programs the provision of housing bonuses but, according to the municipality, they never granted any subsidies because none of the families could deliver the required documents to conclude a contract. Similarly, Podujevë/Podujevo’s programs foresee provision of housing bonuses but did not specify the number of families or budget allocated, and the subsidies were never granted. The only municipality that was offering housing bonuses was

housing pursuant to the Law. See [Programi-trevjecar-per-banim-2022-2025.pdf \(rks-gov.net\)](#), p. 38, accessed on 10 January 2024.

105 The 2022-2025 foresees repairing these houses; administration and maintenance of municipal social housing property is one of the municipal obligations set in the Law (Article 25.1.7).

106 All the beneficiaries are Kosovo Albanian. Initially they had selected a Kosovo Montenegrin beneficiary, now deceased.

Vushtrri/Vučitrn¹⁰⁷: 16 families, mostly single mothers and women with children who were victims of domestic violence. According to representatives, they did not receive any requests from non-majority communities¹⁰⁸.

Vushtrri/Vučitrn municipality has social housing neighbourhoods in the Lumadh/Velika Reka and Pestovë/Pestovo villages, which were built in 1995 for Croatian Serb refugees. Since these residents left the two neighbourhoods due to the Kosovo conflict in 1999, after 2000 the facilities were intended to be used for social housing by other beneficiaries. However, only a few of them were eventually used for social housing. Most of the properties were occupied and the municipality lost *de facto* control over those settlements. In June 2023, the municipality established a commission to review the status of the buildings and assess possible courses of action to regain effective ownership of those settlements and allocate them to beneficiaries of housing bonuses. Beyond this issue, the municipality receives a low number of requests per year (3-4) and they normally address them ad hoc through housing construction with private donors.

Four out of the five Mitrovicë/Mitrovica municipalities included in this report¹⁰⁹ were using the MESPI database of beneficiaries and the fifth one¹¹⁰ was in the process of receiving access and fully establishing it in 2023. One municipality however claimed that they had a parallel internal system for tracking beneficiaries because the database is not very functional for classifying beneficiaries¹¹¹.

(2) Housing construction

In Mitrovicë/Mitrovica region, all municipalities included in the report have concluded agreements with third party actors¹¹² for housing construction. In most cases, the municipality representatives justified their preference for this type of arrangement on budget limitations and speedy processes¹¹³ and, in the case of Podujevë/Podujevo municipality, lack of municipal land available. All five southern municipalities claimed that they followed the criteria set in the Law for selection of beneficiaries. However, no disaggregated data or details of beneficiaries were provided.

In 2019-2022, Podujevë/Podujevo municipality supported 196 beneficiaries through construction on private properties¹¹⁴. According to municipal representatives, the beneficiaries were selected according to the criteria set in the Law and they include all relevant vulnerable categories, including victims of domestic violence and violence

107 The municipality contributes EUR 20,000 for housing bonuses.

108 According to the municipality representatives, the calls are always published in Albanian and Serbian, and they only receive a few requests per year. It is noted however that the municipality did not seem to carry out any proactive outreach activity or needs assessment.

109 Mitrovicë/Mitrovica South, Podujevë/Podujevo, Glllogoc/Glogovac and Skënderaj/Srbica.

110 Vushtrri/Vučitrn.

111 Glllogoc/Glogovac municipality.

112 Mainly Jetimat e Ballkanit and Qatar Charity. In Podujevë/Podujevo, also the foundations "Firdeus" and "Shqiptarët per Shqiptarët" (Albanians for Albanians).

113 Mitrovica/Mitrovicë South, Glllogoc/Glogovac and Skendëraj/Srbica.

114 The municipality included these housing construction arrangements in the 3-year social housing programme.

against women¹¹⁵. However, OSCE monitoring reported that most of the beneficiaries belonged to ‘families of martyrs’ and war survivors. In the reporting period, in Glllogoc/Glogovac and Vushtrri/Vučitrn municipalities, 38 and 45 houses, respectively, were built in partnership with Jetimat e Ballkanit, whereas in Skendëraj/Srbica municipality 34 houses were constructed by both Jetimat e Ballkanit and Qatar Charity¹¹⁶.

Of note, Mitrovicë/Mitrovica South municipality, and Podujevë/Podujevo to a lesser extent, have concluded agreements with third party actors for the construction of social housing buildings on municipal land. In these arrangements, the municipality retains property ownership and offers the apartments to the beneficiaries through rental contracts that are signed every two years. During the reporting period, Mitrovicë/Mitrovica South municipality concluded rental contracts with 91 families¹¹⁷. Podujevë/Podujevo municipality constructed 22 houses, of which two will accommodate Kosovo Ashkali families¹¹⁸.

This practice contrasts with that of most other municipalities in Kosovo, which normally engage third party actors for the construction of private houses on the private land of the beneficiaries. However, representatives from the donor NGOs joined the commission for the selection of beneficiaries, and concerns remain as to the procedure of selection. While in Mitrovicë/Mitrovica South the commission claimed to follow the criteria set in the law and conducted field visits, in Podujevë/Podujevo the process was less transparent.

Gjilan/Gnjilane region

(1) Social Housing programs

In Gjilan/Gnjilane region, out of 11 municipalities, six had three-year social housing programs approved during the reporting period (Gjilan/Gnjilane¹¹⁹, Ferizaj/Uroševac, Kaçanik/Kaçanik, Hani i Elezit/Ellez Han, Ranilug/Ranillug and Štrpce/Shtërpçë)¹²⁰. Out of

115 The exact number of beneficiaries who are victims of domestic violence and violence against women was not specified.

116 The municipalities contributed with EUR 5,000 per house. In total, 70 houses were constructed by Jetimat e Ballkanit, 42 by other private donors and the diaspora, 22 in agreement with the Foundations Firdeus and Albanians for Albanian, and 62 built in the “neighborhood of martyrs”.

117 The beneficiaries were mostly persons with disabilities and single mothers with children. No segregated data is available. Qatar charity contributed to the construction of 40 houses, whereas Jetimat e Ballkanit supported the construction of the other 51 houses.

118 The other 20 families are Kosovo Albanian. The agreement was signed with the Foundation “Shqiptarët per Shqiptarët” (Albanians for Albanians). The municipality allocated EUR 200,000.

119 For the drafting of the programme, the municipality established a working group supported by the NGO Voice of Roma, Ashkali and Egyptian (VoRAE).

120 Novo Brdo/Novobërdë cited lack of human resources and lack of budget as reasons for not drafting a three-year social housing report

those six municipalities, two¹²¹ had two programs for the reporting period and one¹²² never implemented it due to lack of a budget. In one municipality (Viti/Vitina), the program was drafted in 2020 but never presented to the municipal assembly for approval due to the change of the local government following local elections¹²³. Of note, four municipalities received support for the drafting of their programs¹²⁴. The three-year program only foresees provision of housing for victims of domestic violence and violence against women in two municipalities¹²⁵.

Municipality	Approved three-year social housing programs
Gjilan/Gnjilane	2023-2025
Ferizaj/Uroševac	2023-2025
Viti/Vitina	-
Kaçanik/Kaçanik	2018-2021 2022-2025
Hani i Elezit/Elez Han	2016-2019
Kamenicë/Kamenica	-
Klokot/Kllokot	-
Novo Brdo/Novobërdë	-
Parteš/Partesh	-
Ranilug/Ranillug	2017-2020
Štrpce/Shtërpçë	2019-2021 2021-2024

Table 9: Approved three year-social housing programs per municipality in Gjilan/Gnjilane region

Gjilan/Gnjilane municipality conducted a thorough needs assessment for its 2023-2025 program to identify families in need of social housing. Ferizaj/Uroševac municipality also conducted a needs assessment for its current draft program and identified 47 families in need of social housing, including five social cases, 33 returnee families from Kosovo Roma, Kosovo Ashkali and Kosovo Egyptian families, eight repatriated families (three Kosovo Albanian and five Kosovo Roma, Kosovo Ashkali and Kosovo Egyptian), and one victim of domestic violence. In Kačanik/Kaçanik municipality, the municipal commission established pursuant to the Law on Social Housing conducted a needs assessment for social housing and assessed that 120 families are in urgent need of non-profit housing;

121 Kačanik/Kaçanik and Štrpce/Shtërpçë municipalities.

122 Ranilug/Ranillug municipality. According to municipality representatives, the drafting of a new programme has not been initiated yet due to lack of support from government level to implement the previous programme, lack of municipal funds and the COVID-19 pandemic.

123 The last approved programme dates from 2012-2013. It is noted that the draft does not include victims of domestic violence and violence against women and that the criteria for selection of beneficiaries is rather generic.

124 Gjilan/Gnjilane municipality established a working group supported by the NGO Voice of Roma, Ashkali and Egyptian (VoRAE) for drafting their 2023-2025 programme, whereas Ferizaj/Uroševac municipality signed an agreement of co-operation with the NGO 'Voice of RAE' (Zeri i Romeve, Ashkalive dhe Egjiptianeve) supported by Swiss Church Aid/HEKS (Hilfswerk der evangelischen Kirchen Schweiz), to draft a new three-year social housing Programme for 2023-2025. Ranilug/Ranillug and Štrpce/Shtërpçë municipalities also received support for drafting their programmes.

125 Gjilan/Gnjilane, Ferizaj/Uroševac municipalities.

the same 120 families submitted requests for social housing¹²⁶. Kamenicë/Kamenica municipality, on the other hand, has not undertaken any needs assessment for social housing. The data on vulnerable families is gathered by the Center for Social Work, whereas the needs of victims of domestic violence and violence against women are assessed on a case-by-case basis.

Hani i Elezit/Elez Han conducted the needs assessment for its 2016-2019 program through social housing requests. According to municipal representatives, the number of such cases in the municipality is very low and there are no non-majority communities¹²⁷. In Novo Brdo/Novobërdë, even though the municipality had not drafted or approved any three-year social housing program, or conducted a proper needs assessment, there is a need for social housing and particularly for vulnerable communities based on social workers' estimates on housing conditions of vulnerable families.

In Ranilug/Ranillug municipality, based on the needs assessment conducted for the 2017-2020 program that was never implemented, there were 122 families (118 Kosovo Serb and four Kosovo Albanian families) found in need for social housing in the municipality. Out of 122 families, 80 requests were related to housing/accommodation (76 Kosovo Serb and 4 Kosovo Albanian families)¹²⁸. Štrpce/Shtërpçë municipality has identified social housing needs for its residents, and in particular for vulnerable communities. For the 2021-2024 program, there are 92 requests for social housing from vulnerable families but no community/categories data are available.

Municipality	Social housing apartments		Social housing bonuses	
	Total no. of beneficiaries	Beneficiaries from non-majority communities	Total no. of beneficiaries	Beneficiaries from non-majority communities
Gjilan/Gnjilane	53	0	53	0
Ferizaj/Uroševac	34	No disaggregated data available	0	0
Viti/Vitina	23	1 (4%)	0	0
Kaçanik/Kaçanik	-	-	-	-
Hani i Elezit/Elez Han	-	-	-	-
Kamenicë/Kamenica	20	No disaggregated data	0	0
Klokot/Klllokot	-	-	-	-

126 No requests were received from non-majority communities. According to the municipality representatives, there are no non-majority communities residing in the municipalities.

127 The municipality currently has only one request for social housing.

128 The other 42 requests related to housing reconstruction or repairs.

Novo Brdo/Novobërdë	-	-	-	-
Parteš/Partesh	-	-	-	-
Ranilug/Ranillug	-	-	-	-
Štrpce/Shtërpçë	-	-	-	-

Table 10: Beneficiaries of social housing apartments and bonuses in Gjilan/Gnjilane region

Gjilan/Gnjilane municipality provides both social housing and housing bonuses as foreseen by the current legal framework. As of May 2023, there were 113 requests submitted for housing and rent support, including 13 returnee families (12 Kosovo Roma, Kosovo Ashkali and Kosovo Egyptian and one Kosovo Serb family) and victims of domestic violence¹²⁹. The municipality currently supports 110 families as beneficiaries of social housing¹³⁰. Out of these 110 families, 53 were selected in 2012 and are provided housing in two social housing buildings owned by the municipality and 53 were selected in 2023 and are supported with rent subsidies. The selection of social housing beneficiaries for rent subsidies is based on the Law on Social Housing and related Administrative Instructions¹³¹.

From 2019-2022, Ferizaj/Uroševac municipality provided rent assistance for 34 families with unsolved housing issues and difficult economic conditions, including non-majority communities, DPs and victims of domestic violence and violence against women. In Viti/Vitina, 23 families remain beneficiaries of social housing out of the 25 selected during the previous 2012-2013 program, including one Kosovo Serb family and families of war veterans. Similarly, Kamenicë/Kamenica still had 20 family¹³² beneficiaries who had been selected in 2015, before the reporting period. As in Mitrovicë/Mitrovica, in Gjilan/Gnjilane region some municipalities¹³³ mention allocation in shelters as an alternative when social housing provision is not possible, even though the solutions are of a different nature.

In 2017, Kaçanik/Kaçanik municipality together with the Ministry of Labor and Social Welfare (MLSW), co-financed the construction in the village Kaçanik i Vjeter/Stari Kaçanik of social housing apartment blocks with 24 units for families with social housing needs, but the process of selection of beneficiaries had not yet started by July 2023¹³⁴. In 2016,

129 The exact number of beneficiaries who are victims of domestic violence and violence against women was not specified.

130 Concerning vulnerable communities, in 2022, the municipality supported 28 cases of single mother households, one case of a drug abuser, and one case of a victim of sexual violence during the last conflict in Kosovo, families with difficult socio-economic conditions, and families with people with disabilities. No non-majority community beneficiaries are included.

131 Articles 4, 5 and 11 of the Law.

132 No segregated data available. The beneficiaries were selected pursuant to the Law on Social Housing and administrative instructions

133 Novo Brdo/Novobërdë, Parteš/Partesh, Ranilug/Ranillug and Štrpce/Shtërpçë municipalities.

134 The municipality allocated EUR 200.000 for this project but it did not requested funding from MESPI. Of note, municipal officials did not seem aware of this possibility.

Novo Brdo/Novobërdë municipality identified potential areas for the construction of social housing projects, but the construction plan was never completed¹³⁵.

Concerning the database of beneficiaries, only four¹³⁶ out of 11 municipalities in the region had an established database and, out of those four, two¹³⁷ reported that the database is not functional or was put on hold due to technical reasons. Two municipalities used their own alternative systems for keeping track of requests and beneficiaries¹³⁸. Some municipalities¹³⁹ did not have a database because they do not have any social housing beneficiaries.

(2) Housing construction

In Gjilan/Gnjilane region, Gjilan/Gnjilane, Ferizaj/Uroševac, Hani i Elezit/Elez Han, Kaçanik/Kaçanik, Kamenicë/Kamenica and Viti/Vitina have signed agreements for housing construction with third party actors, including Jetimat e Ballkanit and Qatar Charity. The remaining municipalities (Klokot/Klllokot, Novo Brdo/Novobërdë, Parteš/Partesh, Ranilug/Ranillug and Štrpce/Shtërpçë) stated that they have not implemented such projects. Parteš/Partesh and Štrpce/Shtërpçë further stated that they do not have a preference for these arrangements, while Novo Brdo/Novobërdë has not considered this type of co-operation yet and has not allocated funds due to limitations in the municipal budget. According to Ranilug/Ranillug representatives, this approach opens possibilities for misuse of the properties allocated for social housing, such as selling to third parties.

135 These areas were identified and submitted to MESPI following a workshop organized by the EU Office in Kosovo, NGO Developing Together and MESPI on social housing. According to the municipality representative, no feedback has been provided by the Ministry so far.

136 Viti/Vitina, Hani i Elezit/Elez Han, Novo Brdo/Novobërdë and Štrpce/Shtërpçë municipalities.

137 Viti/Vitina and Novo Brdo/Novobërdë municipalities.

138 Gjilan/Gnjilane municipality and Kaçanik/Kaçanik use a spreadsheet only for their internal use where they record data on families in need for housing.

139 Klokot/Klllokot, Ranilug/Ranillug.

5. Data analysis

This chapter analyzes and compares the data presented in the previous chapter in terms of overall compliance with municipal obligations and total numbers in the implementation of social housing programs and housing construction, as well as MESPI's role in the provision of social housing. The chapter also includes some of the qualitative findings from the interviews with municipal officials and the MESPI representative.

1) Needs assessment and outreach activities

Pursuant to the Law on Social Housing, municipalities are required to carry out housing needs assessments in their respective areas of responsibility. Based on those needs assessments, they must then draft a three-year housing program, including elements such as the housing needs, financing needs and identification of available land for construction of housing. The Ministry then has an obligation to draft a three-year Kosovo-wide strategy – including budget allocation – based on the information provided by municipalities, and to establish a Kosovo-wide database related to housing needs. While the legal framework in Kosovo does not specify how this needs assessment should be conducted, international standards provide that the assessment should be proactive, detailed and comprehensive¹⁴⁰. Moreover, the data should be disaggregated to be able to monitor adequate housing and identify the needs of all vulnerable communities in Kosovo.

While some municipalities, particularly those in Pejë/Peć region, conducted a more proactive and comprehensive assessment of housing needs in accordance with legal standards, a considerable number of municipalities' representatives reported that, mostly due to limited resources, they identified the social housing needs of residents based only on annual applications¹⁴¹ or requests submitted to the municipality and to the CSW or DHSW¹⁴². The OSCE already noted a tendency for these ad hoc needs assessments in its previous report on social housing¹⁴³. As noted in that report, this approach excludes all those who do not directly apply to the municipality for housing and therefore does not provide an accurate picture of the social housing needs of the municipality.

140 UN Committee on Economic, Social and Cultural Rights (CESCR), General Comment No. 4: The Right to Adequate Housing (Art. 11 (1) of the Covenant), 13 December 1991, E/1992/23, para. 13.

141 Gračanica/Graçanicë, Obiliq/Obilić Malishevë/Mališevo, Rahovec/Orahovac, Dragash/Dragaš, Suharekë/Suva Reka, Podujevë/Podujevo, Vushtrri/Vučitrn, Mitrovice/Mitrovica South and Skënderaj/Srbica municipalities.

142 Shtime/Štimlje, Fushë Kosovë/Kosovo Polje, Lipjan/Lipljan, Glogoc/Glogovac, Kamenicë/Kamenica and Prizren municipalities.

143 OSCE Mission in Kosovo, "Assessment of the Provision of Social Housing by Municipalities in Kosovo" (November 2013), p. 19, available at <https://www.osce.org/files/f/documents/6/3/108196.pdf>, accessed on 10 January 2024.

In several municipalities¹⁴⁴, municipal officers claimed that they did not receive any requests from non-majority communities in the recent years. This raises questions as to whether they are conducting proper outreach and informational activities, or if the procedures are conducted in a way to allow for non-majority communities to apply without difficulties. The Ministry representative also considers that there is a problem with lack of information and that awareness-raising campaigns on social housing for vulnerable communities should be undertaken in the municipalities. Of note, only one municipality¹⁴⁵ reported that their needs assessment was conducted with the participation of the MOCR.

2) Three-year social housing programs and Social Housing Strategy

Concerning three-year social housing programs, between 2018 and 2023, 14 municipalities had at least one program approved¹⁴⁶, whereas only ten municipalities reported having approved two programs¹⁴⁷. The findings also show that ten out of 34 municipalities did not prepare or have a program in force for the whole reporting period¹⁴⁸. One municipality (Malishevë/Mališevo) drafted a program but did not approve it, whereas in other cases, the programs were approved but not implemented¹⁴⁹. In Ranilug/Ranillug municipality, for instance, the 2017-2020 program was never implemented even though they identified 122 families in need of social housing, including non-majority communities¹⁵⁰. As with the previous 2013 report, some smaller municipalities stated that they do not carry out these assessments or draft housing programs as they consider there are no families or persons in need of social housing, even though a proper needs assessment was not conducted¹⁵¹.

These findings show that, although most municipalities approved at least one program during the reporting period, the majority had gaps between the programs and only seven municipalities had consecutive programs as required by the law¹⁵². Gjilan/Gnjilane is the region with the least municipalities with any approved programs for the reporting period. It is noted however that, according to a few municipalities¹⁵³, the COVID-19 pandemic had an impact on the preparation and implementation of projects for the period 2020-2022. Furthermore, having an approved social housing program did not always translate into supporting the potential beneficiaries, that the program was implemented or that it

144 Kačanik/Kaçanik, Vushtrri/Vučitrn and Skënderaj/Srbica municipalities.

145 Istog/Istok municipality.

146 Obiliq/Obilić, Prizren, Suharekë/Suva Reka, Pejë/Peć, Gjakovë/Đakovica, Deçan/Deçane, Klinë/Klina, Glllogoc/Glogovac, Skënderaj/Srbica, Vushtrri/Vučitrn, Gjilan/Gnjilane, Ranilug/Ranillug.

147 Shtime/Štimlje, Fushë Kosovë/Kosovo Polje, Lipjan/Lipljan, Gračanica/Gračanicë, Rahovec/Orahovac, Istog/Istok, Mitrovicë/Mitrovica South, Podujevë/Podujevo, Kačanik/Kaçanik, Štrpce/Shtërpçë.

148 Prishtinë/Priština, Malishevë/Mališevo, Dragash/Dragaš, Mamuša/Mamushë/Mamuša, Junik, Ferizaj/Uroševac, Viti/Vitina, Kamenicë/Kamenica, Klokot/Kllokot, Novo Brdo/Novobërdë, Partesh/Partesh.

149 E.g., Shtime/Štimlje and Ranilug/Ranillug municipalities.

150 118 Kosovo Serb and four Kosovo Albanian families.

151 Junik, Mamuša/Mamushë/Mamuša, Partesh/Partesh, Klokot/Kllokot,

152 Shtime/Štimlje, Fushë Kosovë/Kosovo Polje, Rahovec/Orahovac, Mitrovicë/Mitrovica South, Podujevë/Podujevo, Kačanik/Kaçanik and Štrpce/Shtërpçë.

153 Shtime/Štimlje, Ranilug/Ranillug.

followed the parameters of the law. In some cases¹⁵⁴, the three-year social housing programs foresee the provision of housing construction on private property as well as repairs or renovations of private houses, which cannot be considered social housing according to the Law on Social Housing.

As noted above, most of the municipalities did not draft the three-year social housing programs. In cases when some municipalities did draft the programs, other municipalities were lagging behind, resulting in a lack of unified work from the municipalities on this matter. Only in a few instances did municipalities prepare and approve consecutive three-year programs. Therefore, MESPI was not able to draft the Social Housing Strategy as there was no data available from all municipalities for the same period that would provide comprehensive information on the housing needs of the municipalities.

3) Allocating budget and presenting requests for financing new investments and subsidies to the Ministry

According to the Law on Social Housing, MESPI has the responsibility to financially support municipalities with projects related to social housing. While municipalities are generally aware of this possibility, a few municipal officials reported that they did not know about this option or consider it within their mandate¹⁵⁵. In several cases, MESPI supported municipalities either for housing bonuses or for the construction or repair/renovation of social housing buildings¹⁵⁶. However, as per the MESPI representative, there had been no concrete project funding requests from the municipalities up to the time of the interview. On the other hand, certain municipalities claimed that MESPI did not respond or provide feedback to their proposals¹⁵⁷. It is noted that, as of July 2023, MESPI was reportedly working on adopting a uniform approach for all municipalities Kosovo-wide in terms of funding from the Ministry¹⁵⁸. Some requests for support from municipalities were put on hold until this approach could be specified.

The law states that municipalities and other donors can also contribute to financing social housing projects¹⁵⁹. Most of the municipalities stated that they had no available funds for constructing social housing and therefore relied on private donations. However, it is noted that many of the municipalities who claimed not to have enough budget or did not allocate funds for social housing construction, at the same time allocated public funds for the construction of private houses in partnership with third party actors¹⁶⁰. Some

154 E.g., Mitrovica/Mitrovica South, Podujevë/Podujevo, Prizren municipalities.

155 E.g., Kaçanik/Kaçanik municipality.

156 E.g., Klinë/Klina.

157 E.g., Novo Brdo/Novobërdë, Klokot/Klllokot, Štrpce/Shtërpçë municipalities.

158 Gjakovë/Đakovica municipality municipal officer.

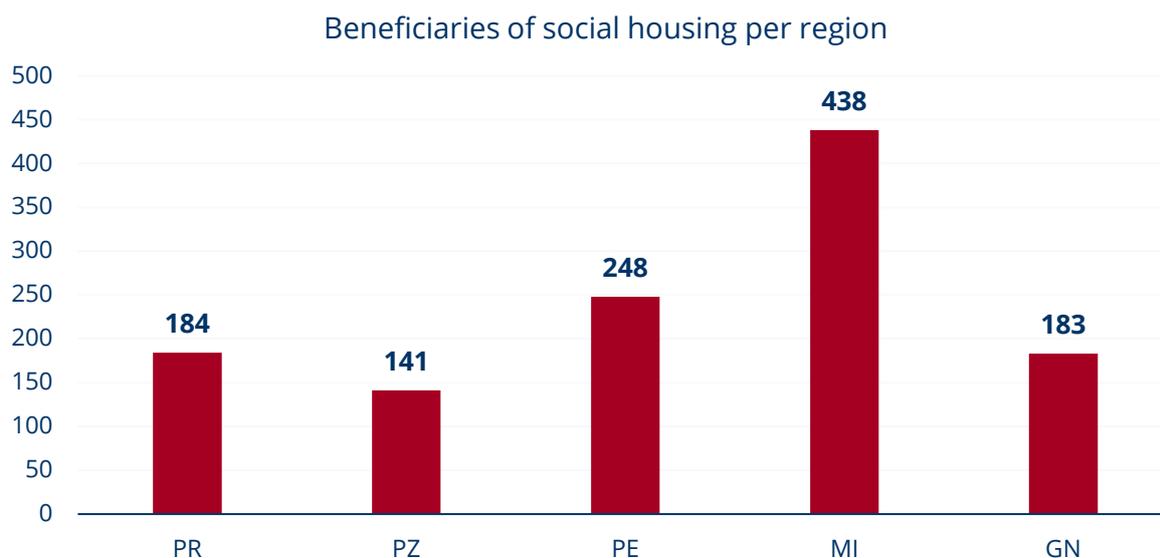
159 Law on Social Housing, article 19.

160 E.g., Suharekë/Suva Reka, Malishevë/Mališevo, Glogoc/Glogovac and Podujevë/Podujevo municipalities. Podujevë/Podujevo municipality, in particular, contributed EUR 200,000 for the construction of 22 houses in agreement with the Foundations Firdeus and Albanians for Albanian. Kamenicë/Kamenica municipality also

municipalities only allocated funds for housing bonuses¹⁶¹, whereas others did not allocate any funding at all within their budget for social housing programs.

4) Selection of beneficiaries and database

The findings show that municipalities were not always capable or willing to provide detailed, disaggregated data on beneficiaries. In some cases, inconsistencies were noted between the numbers reported and the cases monitored by the MOCR¹⁶². An issue that



was highlighted in the previous 2013 report and that was noted again in this reporting period is that, while most municipalities claimed that they followed the categories set in the law for the selection of beneficiaries, in some cases the data evidenced a preference for other categories of beneficiaries, such as ‘families of war veterans’ and ‘martyrs’, regardless of their socioeconomic status¹⁶³. In a few cases, it was recorded that members of non-majority communities were not allocated any social housing apartments or housing bonuses while other categories such as war veterans, which are not foreseen in the law, received apartments¹⁶⁴.

In numerous cases, municipal officials claimed that they were not able to provide disaggregated data on applicants and/or beneficiaries of social housing, even in cases where they had a functioning database of beneficiaries¹⁶⁵. According to municipal representatives, not establishing a municipal housing sector or not having adequate human or financial resources prevented municipalities from having proper and accurate statistics on the beneficiaries of social housing, as well as data on the criteria applied.

signed agreements for housing construction, even though it has not undertaken any needs assessment for social housing or prepared any three-year housing report.

161 E.g., Prishtinë/Priština municipality.

162 E.g., Prizren municipality.

163 Prishtinë/Priština, Gjakovë/Đakovica, Deçan/Dečane, Istog/Istok, Prizren and Klinë/Klina, Viti/Vitina.

164 E.g., Prishtinë/Priština municipality.

165 E.g., Prishtinë/Priština, Obiliq/Obilić, Gjakovë/Đakovica and Skënderaj/Srbica municipalities.

This lack of comprehensive and disaggregated data at the municipal level, at the same time, prevents local- and government-level institutions from establishing a clear and accurate picture of the scale of social housing needs in their areas of responsibility. This, in turn, prevents municipalities from responding adequately to these needs and measuring progress made towards the realization of the right to adequate housing. It also prevents the MESPI from fulfilling its obligations to draft a three-year strategy and establish an accurate Kosovo-wide database of beneficiaries and those in need of social housing. Consequently, the failure of institutions to adequately determine and track social housing needs constitutes a violation of their obligations to provide adequate housing.

Among the 15 out of 34 municipalities in which disaggregated data was provided to a certain extent, only four municipalities (Gračanica/Graçanicë, Klinë/Klina, Istog/Istok and Mitrovica/Mitrovica South) selected at least ten per cent of beneficiaries from non-majority communities, mostly from Kosovo Roma, Kosovo Ashkali and Kosovo Egyptian communities. In the other municipalities, the percentage ranged between one and six per cent¹⁶⁶ and in five municipalities no non-majority community beneficiaries were reported¹⁶⁷. This suggests that a disproportionate amount of social housing support was provided to members of communities in numerical majority in their respective municipalities, which is an issue of concern. Non-majority communities are often in a situation of vulnerability and experience challenges in the full enjoyment of their right to adequate housing¹⁶⁸. Therefore, when applicable, institutions should ensure that social housing programs target these communities and include a proportionate number among the beneficiaries.

The findings also show that, on the other hand, an increased number of single mothers and women with children who were victims of domestic violence were beneficiaries of social housing as compared to the previous report. Also, an increased number of municipalities are including victims of domestic violence and violence against women as priority beneficiaries in their programs. However, some municipalities¹⁶⁹ mention allocation in shelters as an alternative when social housing provision is not possible, even though shelters are a short-term arrangement for urgent cases and cannot be considered part of the provision of social housing. While the increased efforts from municipalities to address the needs of victims of domestic violence and violence against women are welcome, more efforts should be made to offer safe, sustainable housing solutions for these groups.

166 Lipjan/Lipljan, Malishevë/Mališevo, Prizren, Deçan/Deçane and Viti/Vitina.

167 Obiliq/Obilić, Fushë Kosovë/Kosovo Polje, Suharekë/Suva Reka, Podujevë/Podujevo, Glllogoc/Glogovac,

168 Access to property and housing for the Kosovo Roma community is still the biggest obstacle to genuine integration in the society and the possibility to live in decent conditions. See OSCE Mission in Kosovo, "Kosovo Communities Profiles" (2010), Available at <https://www.osce.org/files/f/documents/3/d/75450.pdf>, accessed on 10 January 2024.

169 Mitrovicë/Mitrovica South, Glllogoc/Glogovac and Skënderaj/Srbica, Novo Brdo/Novobërdë, Parteš/Partesh, Ranilug/Ranillug, Štrpce/Shtërpçë.

MESPI regularly monitors and reviews cases sent from the mayors or municipal commissions for social housing against the criteria for social housing beneficiaries. Nevertheless, according to MESPI, municipalities rarely conduct an evaluation of the social housing status of the beneficiaries 12 months after the contract is concluded, as provided for by the Law on Social Housing. Once the beneficiaries enter the apartments, they continue to use them indefinitely regardless of whether their housing status improves with time. MESPI's view is corroborated by the findings in this report, where it is noted that municipalities often fail to regularly review the status of the beneficiaries of social housing. In several cases, the beneficiaries had been selected before the reporting period¹⁷⁰. Only a few municipalities reviewed the status of the existing families that benefit from social housing¹⁷¹. Consequently, municipalities generally lack oversight of mechanisms to monitor the state of social housing in their municipalities.

Only 11 municipalities reported that the MESPI database was functional and that they could record the lists of beneficiaries of municipal social housing programs¹⁷². In seven cases, the municipalities claimed that the database was either partially established, non-functional or not yet established¹⁷³. In two cases¹⁷⁴, municipality representatives stated that the database, while established, is not very functional and they are facing problems with the classification of the beneficiaries. MESPI, on the other hand, considers that its database of beneficiaries of social housing is fully established and operational. In their view, the municipalities have included only a few pieces of information so far and generally fall short of updating the information or inserting new information, even though MESPI organized trainings for municipal social housing officials on the use of the social housing database.

5) Other obligations

A considerable number of municipalities reported not having a social housing officer or an officer in charge with the required knowledge on the legal obligations pertaining to social housing laws. In some cases, the data that had been gathered by previous municipal governments was lost following local elections¹⁷⁵. In this regard, MESPI also considers that most municipalities have not properly established the social housing sector or appointed social housing officials, which makes it nearly impossible to implement effectively social housing programs in the municipalities. The Ministry on the other hand stated that they have not assigned any housing inspector to monitor the social housing programs in the municipalities.

170 E.g., Pejë/Peć, Gjakovë/Đakovica, Deçan/Dečane and Kamenicë/Kamenica municipalities.

171 E.g., Istog/Istok, Klinë/Klina and Mitrovicë/Mitrovica South.

172 Gjakovë/Đakovica, Prizren, Malishevë/Mališevo, Dragash/Dragaš, Suharekë/Suva Reka, Mitrovicë/Mitrovica South, Podujevë/Podujevo, Prishtinë/Priština Shtime/Štimlje (based on applications), Obiliq/Obilić, Gračanica/Gračanicë (based on applications).

173 Deçan/Dečane, Istog/Istok, Junik, Klinë/Klina, Rahovec/Orahovac, Fushë Kosovë/Kosovo Polje, Lipjan/Lipljan

174 Glllogoc/Glogovac, Viti/Vitina municipality.

175 The information from the previous period was not handed over to the new Directors.

Municipalities are responsible for the regular administration and maintenance of social housing apartments or units¹⁷⁶. In this regard, MESPI expressed their concern about the maintenance of the social housing apartments allocated to individual or family beneficiaries, as they stated that there is no municipal company providing maintenance and the beneficiaries do not always keep the buildings up to appropriate standards. As a consequence, the value of the municipal housing stock is reduced.

Numerous municipalities included house repairs as part of their social housing support to residents. The law includes repairs on social housing buildings as part of the management of the housing stock, but does not foresee repair and maintenance of private houses. The findings note a tendency in certain municipalities¹⁷⁷ to over-report the numbers of beneficiaries through housing repairs¹⁷⁸ and renovations, especially in the case of non-majority communities, for which small grants for repairs were included within the social housing support statistics.

6) Housing construction with third party actors

The findings of this report show that there is a general tendency of municipalities to carry out housing construction projects with third party actors in which the property is transferred to the beneficiaries in lieu of implementing social housing programs as per their legal obligations. In some cases, municipalities claimed that they are not implementing this type of housing projects, even though OSCE monitoring teams reported that at some point during the period of 2018-2023, such municipalities had concluded MoU's with third party actors for the construction of housing¹⁷⁹.

Although many municipalities complained about the lack of or insufficient funds, the data gathered shows that the amount of public funds invested in housing construction was normally substantially higher than the funds allocated for social housing measures as per the law. In some municipalities, the representatives reported that they do not contribute financially to these projects (e.g., Deçan/Deçani municipality) or considered that the implementation of the social housing projects in partnership with private entities does not fall within the law and creates a conflict of interest (Prishtinë/Priština municipality). In other municipalities, however, public funds were allocated for the construction of private houses¹⁸⁰ and, in some cases¹⁸¹, these funds were quite substantial as compared to the budget allocated for social housing¹⁸¹.

In most cases, the beneficiaries of this type of housing were selected through a joint or mixed commission that included members from the third parties¹⁸². The target groups of

176 Law on Social Housing, arts. 8 and 25.1.7.

177 E.g., Prizren municipality.

178 Including roof repairs.

179 Viti/Vitina, Klinë/Klina, Malishevë/Mališevo.

180 E.g., Prizren, Rahovec/Orahovac, Suharekë/Suva Reka, Gjakovë/Đakovica, Podujevë/Podujevo, Glllogoc/Glogovac Vushtrri/Vučitrn and Skendëraj/Srbica municipalities.

181 E.g., Gjakovë/Đakovica and Podujevë/Podujevo municipalities.

182 Prizren, Pejë/Peć and Mitrovica/Mitrovica regions.

beneficiaries were mostly families with difficult socio-economic conditions who cannot provide housing for themselves or “families with a bad economic situation”. However, there is a general lack of transparency on the data concerning beneficiaries of these housing constructions, and the findings reflect that the categories of beneficiaries set by the law are not always followed¹⁸³. The data provided rarely included disaggregated data on non-majority communities: only in two municipalities numbers of beneficiaries from non-majority communities were specified¹⁸⁴.

The vast majority of municipalities that concluded this type of agreement argued that they either did not have enough funding or municipal land to undertake housing construction by themselves, or that engaging a third party actor facilitated the provision of necessary housing for residents. In terms of compliance with the law, some municipalities claimed that non-profit rental contracts would be concluded with the beneficiaries until independent permanent residence issues or the economic and social situation are resolved, and that the commission would monitor them annually. However, it was reported by the OSCE that, in practice, families often stay in the apartments indefinitely. Some municipalities considered that this issue should be regulated by a special law.

It is noted that, in the case of Mitrovicë/Mitrovica South, the municipality has concluded public-private partnership agreements with third party actors, where the municipality allocated public land and the donors constructed the buildings. This arrangement allowed the municipality to retain ownership of the social housing and allocate it to beneficiaries through rental contracts, and therefore remained within the scope of the law, rather than transferring the property to the beneficiaries. In this sense, the agreement model used in Mitrovicë/Mitrovica South could potentially serve as an example of best practice for other municipalities planning to reach agreements with third party actors in their efforts to tackle social housing.

Nevertheless, it is important to note that, even in public-private partnership agreements, the beneficiaries were selected by joint commissions that included members of the third party actors. In almost all cases, the selection of beneficiaries was concluded by mixed commissions with one or more members appointed by the third party actors. However, the parameters or priorities used to select the beneficiaries in most cases were not clear, as in most cases the beneficiaries selected were referred to as “families in need”, without further specifying the criteria followed for the selection. In one case¹⁸⁵, while the municipality claimed to have followed the criteria set in the law, it was reported that most of the beneficiaries belonged to what they referred to as “war survivors”, that is, ‘families of martyrs’, war veterans and victims of sexual violence during the conflict. As mentioned

183 In Podujevë/Podujevo, 62 houses were built in the “neighborhood of martyrs”.

184 Podujevë/Podujevo, Malishevë/Mališevo.

185 Podujevë/Podujevo municipality.

above, disaggregated data on the background or communities of beneficiaries was rarely provided.

In view of this situation, MESPI officially requested the mayors of the municipalities to provide them with information on co-operation and co-investments in the field of social housing with non-institutional actors. From 38 Kosovo municipalities, only three replied to MESPI: Junik, Mamusha/Mamuša and Rahovec/Orahovac. The Ministry believes that municipalities should not discharge their responsibilities determined by the Law on Social Housing by getting involved in projects with third party actors. According to Ministry representatives, non-implementation of the law by the municipalities is not negligence, but a violation of the law. MESPI was neither informed nor consulted by the municipalities before concluding MoUs or other formal partnerships with non-institutional actors in the implementation of the social housing projects.

6. Conclusions

During the reporting period 2018-2023, most municipalities in Kosovo out of the 34 included in this report took important steps to prepare and implement social housing programs in their areas of responsibility. Beneficiaries were generally selected in accordance with the parameters set in the law, even if in several instances social housing was allocated to categories not foreseen in the law, such as war veterans. Only four municipalities selected at least ten per cent of beneficiaries from non-majority communities, mostly from the Kosovo Roma, Kosovo Ashkali and Kosovo Egyptian communities. Throughout the reporting period, MESPI supported financially a number of municipalities either for housing bonuses or for the construction or repair/renovation of social housing buildings.

However, the report also notes that municipalities do not always fulfil their obligations as prescribed by the law. While it is commendable that several municipalities reported having conducted a more comprehensive housing needs evaluation, in most cases the assessments continued to be conducted based only on requests from residents, as reported in the previous 2013 report. The three-year housing programs are not prepared and approved in a regular manner and municipalities rarely allocate the necessary human and financial means or request funding from MESPI to monitor and implement these programs. In addition, some municipalities refer to shelters for victims of domestic violence and violence against women, even though these are short-term solutions and not a real alternative to social housing in terms of support to victims.

Furthermore, there is a general lack of transparency about the background of applicants/beneficiaries and an absence of disaggregated data in relation to gender or non-majority communities, which is essential for identifying particularly vulnerable or disadvantaged social groups in need of housing. Other specific disaggregated data such as persons with disabilities, displaced persons or victims of domestic violence or violence against women were generally not included either. Even when disaggregated data was provided for this report, the overall number of members of communities in numerical minority that benefited from or who applied for social housing remained low. While MESPI successfully established the database of beneficiaries, only 11 municipalities reported that they are using it and that it is fully functional. Even in those cases where municipalities were using the database, disaggregated data was not always recorded.

The reporting also indicates that third party actors played a major role in housing construction in Kosovo during 2018-2023. Based on the data gathered, it can be concluded that municipalities have a growing tendency to turn to third party actors to construct private houses for beneficiaries instead of constructing social housing for rental contracts. This provision of housing construction where the property is transferred to the

beneficiaries is not foreseen in the Law on Social Housing. Although in some instances municipalities provided assurances that they followed the Law on Social Housing for the selection of beneficiaries, there is a serious lack of information and transparency as to the status of the families/individuals who actually received the housing units.

While the support of vulnerable families through private housing construction is welcome and, in some cases, necessary, it raises concerns as to whether this is the most appropriate practice to address the issue of housing in Kosovo that guarantees equal treatment for all communities. In addition, the institutions should be accountable for, and transparent about the funding received by non-institutional actors, and insist that the selection criteria for the beneficiaries strictly adhere to the applicable legislation. In this regard, the example of Mitrovicë/Mitrovica South municipality, where agreements with NGOs for the construction of social housing allowed the municipality to retain the property ownership and conclude rental contracts, can serve as an example of best practice, provided that beneficiaries are selected in accordance with the Law.

7. Recommendations

To the Ministry of Environment, Spatial Planning and Infrastructure:

- Support municipalities in the preparation and drafting of three-year social housing programs and build the capacities of municipal social housing officials through workshops and other initiatives for exchange of best practices among municipalities. Through this support, the Ministry should remind municipalities of their obligation to gather disaggregated data of families in need of social housing, as per the needs assessments, social housing requests and beneficiaries.
- Draft a Kosovo-wide social housing strategy as required by the Law on Social Housing, based on municipal social housing programs.
- Central level institutions should organize information campaigns on social housing, targeting vulnerable categories and non-majority communities.
- Appoint a housing inspector to monitor the creation and implementation of social housing programs in the municipalities.
- Reach out to and remind municipalities about the possibility of requesting funding from the Ministry for financing new investments and subsidies in relation to social housing programs.
- Ensure that the database of beneficiaries remains functional and support municipalities in the establishment and use of the database, including by providing technical means and organizing trainings for municipal social housing officials.
- Regulate in a special law the issue of housing construction in partnership with third party actors and the conclusion of public-private partnership agreements within the scope of the legal framework on social housing, to prevent municipalities from acting outside of the scope of the public interest and within the margins of the legal framework provided.

To the municipalities:

- Appoint and train social housing officers to adhere to the provisions of the current legal framework on social housing.
- Allocate the necessary human and financial resources to carry out proactive and detailed needs assessments instead of relying on *ad hoc* requests and to monitor, develop and implement three-year social housing programs in a systematic manner.
- If agreements are reached with third party actors, ensure that they fall within the parameters of the law, that the beneficiaries are selected according to the Law on Social Housing and relevant AIs, and that the property ownership remains with the

municipality. In this case, a public-private partnership agreement (as in the Mitrovicë/Mitrovica South model) can serve as best practice provided that the beneficiaries are selected according to the legal framework.

- Gather disaggregated data of families in need of social housing, social housing requests and beneficiaries in terms of the background of communities of beneficiaries, including women, to ensure that the projects are implemented in a fair and non-discriminatory manner. Target any social groups that are particularly vulnerable or marginalized, including non-majority communities, persons with disabilities, displaced persons and single-parent families. Statistical information should be transparent and publicly available.
- Ensure that the needs and rights of communities in numerical minority are recognized and respected through the inclusion of their representatives in municipal selection commissions. Whenever possible, the number of beneficiaries of non-majority communities should be increased in those municipalities where there are communities in numerical minority.
- Actively reach out to members of non-majority communities and other vulnerable communities and organize awareness raising campaigns on social housing to ensure that all socially excluded communities are informed about the possibility to apply for social housing.
- Allocate social housing for victims of domestic violence and violence against women within three-year social housing programs and provide long-term solutions through safe, sustainable social housing beyond shelters in line with the provisions of the new law on prevention and protection from violence against women, domestic violence and gender-based violence and ensure access to social housing to all victims and survivors of such discrimination.
- Regularly conduct re-evaluations of the status of beneficiaries, in particular 12 months after the contract is concluded, as provided for by the law, to allow for individuals/families in need of social housing to replace those beneficiaries whose situation has improved.
- Fulfil municipal obligations in relation to the regular administration and maintenance of the social housing apartments or units.

