

Property Rights Monitor 2021 – 2025

JANUARY 2021 – DECEMBER 2025

The OSCE Mission in Kosovo (OSCE) is mandated to support Kosovo institutions in implementing policies and legal framework for the protection of human rights, including property and housing rights.¹ To assist these efforts, the OSCE has developed the Property Rights Monitor (PRM),² a monitoring tool designed to track trends and developments affecting property and housing rights of non-majority communities' members, displaced persons (DPs), and majority community members living in areas where they are in a numerical minority.

The PRM is a bi-annual publication containing observations collected by OSCE's field monitors across Kosovo in the field of property and housing rights.³ Through the PRM, the OSCE regularly monitors and reports on emerging trends and developments, and advises institutions on adherence to relevant legislation, international standards, and best practices. The OSCE aims to assist responsible institutions in addressing identified gaps in legislation implementation and decision enforcement, while serving as a mechanism to measure progress and address outstanding gaps. This PRM covers a five-year period.

SUMMARY

The right to property is a cornerstone of human rights, safeguarded by international human rights instruments⁴ and the legal framework of Kosovo.⁵ This PRM provides an overview of the status of property and housing rights in Kosovo, with a focus on the situation of vulnerable groups, including non-majority communities and DPs. The PRM finds that while notable progress has been made in areas such as social housing and inclusive participation in spatial planning, significant challenges remain in ensuring equitable access to property rights and services for all communities. Key conclusions of the PRM suggest that the responsible institutions should:

- align expropriation processes with legal and international standards;
- ensure enforcement against illegal property occupation;
- enhance the municipalities' capacities for legalization of unpermitted constructions;
- sustain inclusive participation in spatial planning;
- improved co-ordination between governmental and municipal institutions.

The data for this PRM is drawn from OSCE field monitoring conducted across Kosovo between January 2021 and December 2025, complemented by information provided by municipal officials of urbanism, cadastre and legal offices from the 38 municipalities. As a limitation it should be noted that disaggregated data, particularly by communities and/or gender, is not always available from the institutions. In many cases, additional efforts by the OSCE field staff were required to collect and verify the data included in this PRM.

NUMBER CASES FOR THE REPORTING PERIOD

EXPROPRIATION	738
ILLEGAL OCCUPATION	13
SOCIAL HOUSING	358
APPLICATIONS FOR LEGALIZATION OF UNPERMITTED CONSTRUCTIONS	35602
SPATIAL PLANNING	82
MUNICIPAL LAND ALLOCATION	0
IMMOVABLE PROPERTY TAX	0

¹ OSCE Permanent Council Decision No. 305, dt. 01.07.1999, available at: <https://www.osce.org/pc/28795>, accessed 25 August 2025.

² Organization for Security and Co-operation in Europe, Property Rights Monitor, 13th ed. (14 April 2026), available at [Property Rights Monitor - 13th edition | OSCE Mission in Kosovo](#).

³ The information presented in the PRM covers only cases where the OSCE's field teams had access to.

⁴ European Convention on Human Rights, Article 1, protocol 1. https://www.echr.coe.int/documents/d/echr/convention_ENG

⁵ Kosovo Constitution, Article 46. <https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=3702>

KEY DEVELOPMENTS BY AREA

EXPROPRIATION

Defined: Expropriation is a legally authorised act by authorities to remove ownership rights from a public or private property owner in order to pursue a public interest. It is subject to conditions prescribed by law,⁶ including the provision of compensation to affected owners. This PRM presents the number of expropriations affecting properties of vulnerable groups, with a particular focus on non-majority communities and DPs.

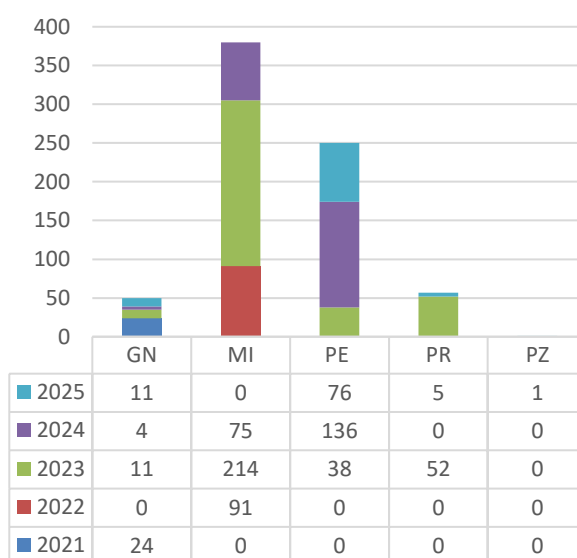
Data: The data below reflect the total number of cases in which properties belonging to non-majority communities and DPs have been affected by expropriation, disaggregated by region and year across five regions: Gjilan/Gnjilane (GN); Mitrovicë/Mitrovica (MI); Pejë/Peć (PE); Prishtinë/Priština (PR) and Prizren (PZ).

Reporting period: In the period between January 2021 and December 2025, 738 cases of expropriation affecting properties of non-majority communities and DPs were recorded.

The highest number of cases is recorded in Mitrovicë/Mitrovica region, followed by Pejë/Peć, Gjilan/Gnjilane and Prishtinë/Priština regions, with only one case recorded in Prizren region.

In several cases, non-majority community representatives opposed expropriation decisions. For instance, in 2023, 58 Kosovo Serb owners from the Mitrovicë/Mitrovica region challenged legality of expropriation decisions in the Court. The Court has recognized the rights of six owners, overruling the expropriation decision. As a result, the government removed these six (6) properties from the expropriation process.

Cases by region and year



ILLEGAL OCCUPATION

Defined: Illegal occupation of immovable property is a criminal offence according to Article 320 of the Criminal Code of Kosovo.⁷ Properties belonging to vulnerable groups, particularly members of non-majority communities and DPs, have frequently been subject to illegal occupation. This PRM presents the number of illegal property occupations that occurred during the reporting period.

Data: The data below reflect the total number of cases of illegal occupation of property belonging to non-majority communities, DPs and majority community members living in areas where they are in a numerical minority, disaggregated by region and year across five regions: Gjilan/Gnjilane (GN); Mitrovicë/Mitrovica (MI); Pejë/Peć (PE); Prishtinë/Priština (PR) and Prizren (PZ).

Reporting period: Between January 2021 and December 2025, 13 cases of illegal occupation of property were recorded. Of these, 12 concerned Kosovo Serb property owners, while one concerned a Kosovo Albanian.

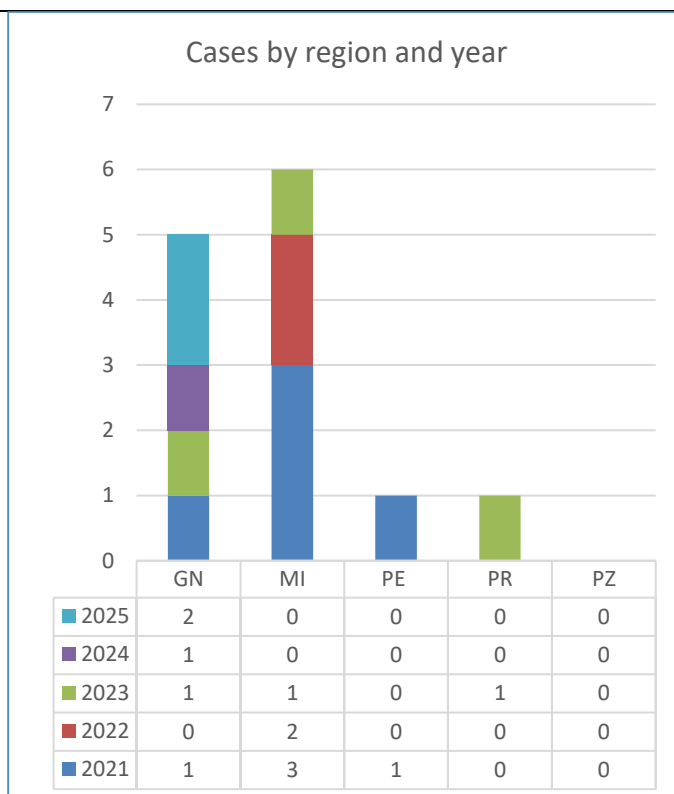
⁶ Law No. 03/L-139 on Expropriation of Immovable Property (with amendments and supplements of the Law No. 03/L-205 and Law No. 04/L-115). <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2636&langid=2>

⁷ CODE No. 06/L-074 Criminal Code of Kosovo (with amendments and supplements of the Law No. 08/L-188). <https://gzk.rks-gov.net/ActDetail.aspx?ActID=18413&langid=2>

Mitrovicë/Mitrovica region had the highest number of illegal occupations, followed by the Gjilan/Gnjilane, Pejë/Peć and Prishtinë/Priština regions, while the Prizren region had no case of illegal occupation in this period.

Even though there is no clear trend of increased illegal occupation of properties, and the overall number of such cases is not high, the persistence of the phenomenon raises concerns. Since the right to property is a fundamental human right, the public authorities should ensure that every individual has access to and enjoys their property in compliance with the legislation and international standards.

Given that, according to OSCE monitoring, the Mitrovicë/Mitrovica and Gjilan/Gnjilane regions have been particularly affected, the public authorities should prioritise efforts to remedy the situation in these regions.



SOCIAL HOUSING

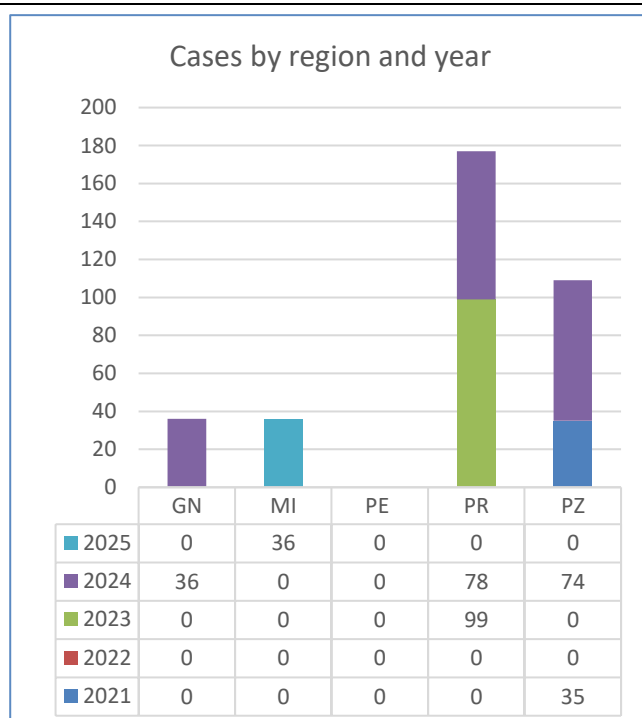
Defined: Social housing is an obligation of the authorities to address the housing needs of individuals and families that cannot afford an appropriate standard of living.⁸ This PRM presents the number of cases in which members of vulnerable groups, such as non-majority communities, DPs and women have benefited from social housing.

Data: The data below reflect the total number of cases in which vulnerable individuals/families have benefited from social housing, disaggregated by region and year across five regions: Gjilan/Gnjilane (GN); Mitrovicë/Mitrovica (MI); Pejë/Peć (PE); Prishtinë/Priština (PR) and Prizren (PZ).

Reporting period: In the period between January 2021 and December 2025, 358 individuals/families have benefited from social housing. As shown in the table, the Prishtinë/Priština region has the highest number of individuals/families benefiting from social housing, with 177 beneficiaries. These include ten Kosovo Albanians (including three women), 100 Kosovo Serbs (of which 17 are DPs) and 50 Kosovo Roma.

In the Prizren region, 68 Kosovo Albanians, 40 Kosovo Bosniaks and one Kosovo Ashkali individual/family benefited from social housing, totalling 109.

In the Gjilan/Gnjilane region, 36 Kosovo Albanian women serving as family caretakers were beneficiaries. In the Mitrovicë/Mitrovica region, 34 Kosovo Serbs and two Kosovo Roma benefited from social housing in the reporting period.



⁸ Law No. 03/L-164 on Housing Financing Specific Programs. <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2670>

According to the information provided to OSCE field teams, the number of families requesting support in the Pejë/Peć region was low. Thus, the municipality decided to support them with rent payment.

The trends monitored by the OSCE show steady and progressive fulfilment of the obligation from Kosovo institutions to provide social housing to those in need. Also, it is encouraging to note that the non-majority communities, particularly Kosovo Roma, Kosovo Bosniak and Kosovo Ashkali communities, have benefited from social housing, alongside DPs and women.

APPLICATIONS FOR LEGALIZATION OF UNPERMITTED CONSTRUCTIONS

Defined: Legalization is a process led by authorities to legalize unpermitted constructions. According to the Law on the Treatment of Constructions without Permit,⁹ a structure constructed on another party's land parcel cannot be legalized until ownership or the right to use the land parcel has been ascertained. This legislation aims to protect vulnerable groups, including non-majority communities and/or displaced persons (DPs), from the illegal occupation of their land parcels. This PRM presents the number of applications for legalization, including the number of certificates issued for unpermitted constructions.

Data: The data below reflect the total number of applications for legalization of unpermitted constructions, disaggregated by region and year across five regions: Gjilan/Gnjilane (GN); Mitrovicë/Mitrovica (MI); Pejë/Peć (PE); Prishtinë/Priština (PR) and Prizren (PZ).

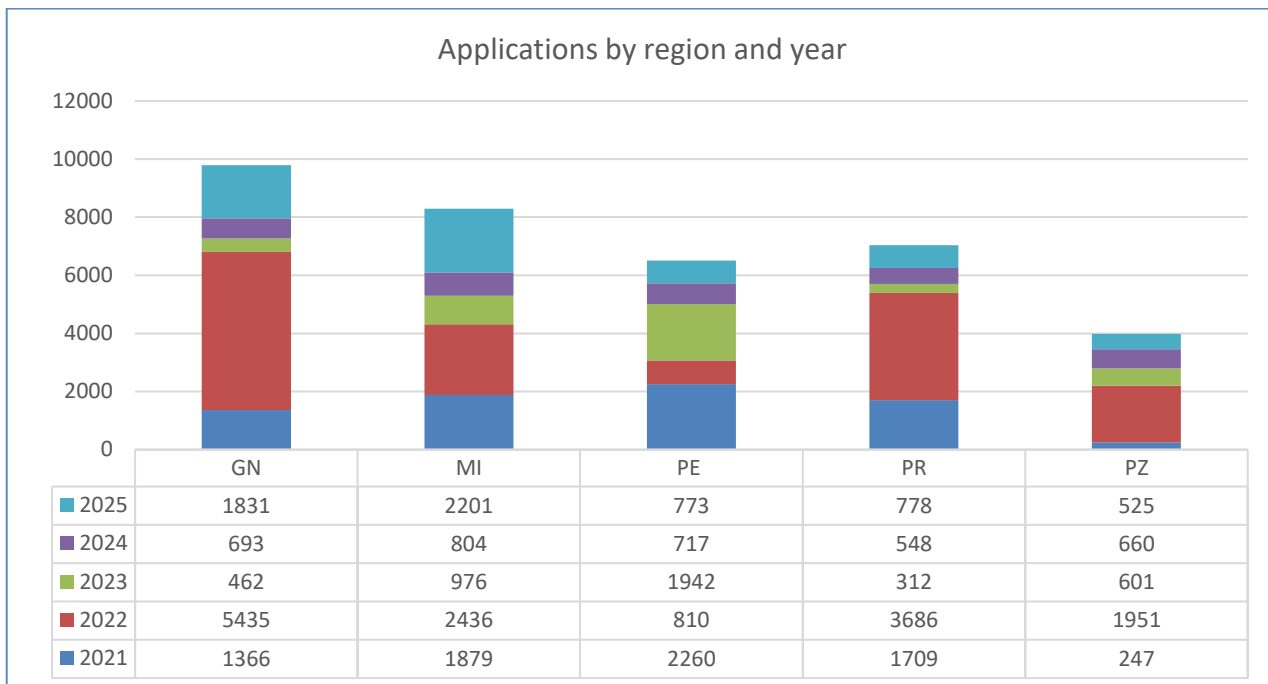
Reporting period: Between January 2021 and December 2025, municipalities Kosovo-wide received 35,602 applications for legalization of unpermitted constructions and issued 15,467 legalization certificates. Members of non-majority communities, including 24 Kosovo Serbs, 28 Kosovo Ashkali, five Kosovo Turks, two Kosovo Bosniaks and one Kosovo Roma, received a total of 120 legalization certificates.

Overall, municipalities across all five regions have received a relatively similar number of applications and have issued legalization certificates accordingly, with the exception of the Prizren region, which lagged slightly behind.

Of the total legalization applications submitted, fewer than every second application has been reviewed and decided upon. As such, it is evident that the municipalities have faced challenges in keeping pace with the overall volume of legalization cases.

On the other hand, the share of legalization certificates issued to non-majority communities remains low. Nonetheless, during the monitoring, the OSCE has not received any complaints from members of non-majority communities regarding the legalization process. However, since the process is still ongoing, the percentage of non-majority communities benefiting from this legal opportunity could increase.

⁹ Law No. 06/L-024 on Treatment of Constructions Without Permit (with amendments and supplements of the Law No. 08/L-184). <https://gzk.rks.gov.net/ActDetail.aspx?ActID=17767>



SPATIAL PLANNING

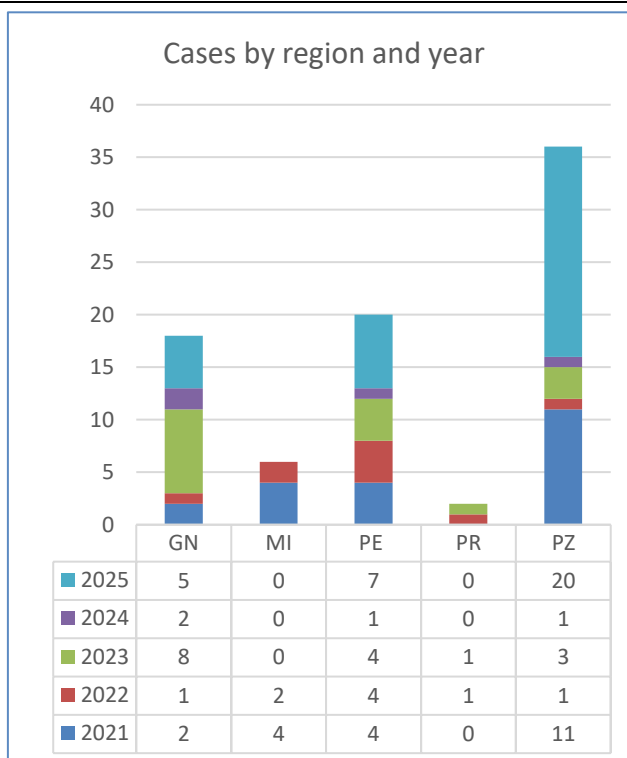
Defined: Spatial planning is the policy of authorities to regulate public space at all levels.¹⁰ Participation in the process of drafting spatial planning documents is crucial not only for assessing and voicing the needs of communities, but also for ensuring the protection of individual property rights. This PRM presents the number of spatial planning processes in which the needs of vulnerable groups, non-majority communities, women and/or youth were noted.

Data: The data below reflect the total number of spatial planning processes where non-majority communities, women and youth participated, voicing their concerns related to their property and expressing their urban/rural development needs, disaggregated by region and year across five regions: Gjilan/Gnjilane (GN); Mitrovicë/Mitrovica (MI); Pejë/Peć (PE); Prishtinë/Priština (PR) and Prizren (PZ).

Reporting period: Members of non-majority communities, women, and youth have participated in 82 spatial planning processes organized between January 2021 - December 2025.

Participation of non-majority communities, women, and youth in spatial planning processes provides them with space to voice concerns related to their property rights and to express their urban and rural development needs. Such participation is key to ensuring transparency, good governance, participatory decision-making, and the protection of individual and community property rights.

OSCE monitoring shows that the Prizren, Pejë/Peć, and Gjilan/Gnjilane regions lead this process, while the Mitrovicë/Mitrovica region lags behind. The Prishtinë/Priština region municipalities have completed their spatial planning documents in the previous period, thus, in this reporting period, they had only two public participation events.



¹⁰ Law No. 04/L-174 on Spatial Planning. <https://gzk.rks-gov.net/ActDetail.aspx?ActID=8865>

MUNICIPAL LAND ALLOCATION

Defined: Municipal land allocation for returns-related projects is a procedure or initiative undertaken by authorities to create conditions for DPs to return.¹¹

Reporting period: In the period between January 2021 and December 2025, the municipalities did not allocate any land for returns-related projects. According to the OSCE monitoring, during this period, the municipalities did not receive any requests from the Ministry of Communities and Return or other institutions/organizations to allocate land for return-related projects; consequently, no cases of land allocation were recorded.

IMMOVABLE PROPERTY TAX

Defined: Immovable property tax is a compulsory charge envisaged and applied by authorities for the ownership or right to use of residential, agricultural, and commercial properties.¹² However, there are cases in which properties belonging to members of non-majority communities were or are illegally occupied, and the owner continues to carry tax liabilities despite not being physically in possession of such property. The Law on Immovable Property Tax addressed this issue by exempting such owners from the liabilities. This exemption has been in effect since 2018.

Reporting period: Between January 2021 and December 2025, no applications for tax exemption were submitted by affected parties. Although property tax liability exemption offers relief to non-majority communities and DPs whose properties have been or continue to be illegally occupied, OSCE monitoring did not record any cases submitted to municipalities for such exemptions.

KEY DEVELOPMENTS AND CONCLUSIONS

This overview reveals both progress and persistent challenges in safeguarding property and housing rights of vulnerable groups. While efforts have been made across multiple domains, further attention is required to ensure equity and access for all communities. As a positive development, social housing initiatives successfully improved living conditions for hundreds of vulnerable families and women. While expropriation mostly proceeded smoothly, the expropriation process in the Mitrovicë/Mitrovica region have raised concerns over its legitimacy. Furthermore, illegal occupation of property, particularly in the Mitrovicë/Mitrovica region, requires targeted legal intervention. Legalization of unpermitted constructions has lagged, with more than half of the 36,000 applications still awaiting a decision regarding certification. Spatial planning showed positive trends, with active public participation from non-majority communities, women and youth. However, municipal land allocation for return-related projects saw zero recorded activity during this five-year period. Although tax liability exemptions exist for occupied properties, low public awareness continues to limit their use among eligible individuals.

Closing these gaps requires stronger political will, better institutional co-ordination, sufficient allocation of resources, and sustained community engagement. To promote a more just, inclusive, and equitable property and housing rights in Kosovo, the OSCE recommends that the institutions take the following measures:

Government and municipalities: Ensure all expropriation processes comply with the legal framework and international standards, particularly those involving non-majority communities and DPs, while guaranteeing equitable compensation.

Law enforcement institutions: Strengthen enforcement mechanisms against illegal occupation of property, with a focus on high- incidence areas such as Mitrovicë/Mitrovica region, in order to safeguard vulnerable communities' rights and, to expedite judicial resolution of outstanding expropriation cases.

¹¹ Law No. 06/L-092 on Allocation for Use and Exchange of Municipal Immovable Property. <https://gzk.rks-gov.net/ActDetail.aspx?ActID=18917>

¹² Law No. 06/L-005 on Immovable Property Tax (with amendments and supplements of the Law No. 08/L-224). <https://gzk.rks-gov.net/ActDetail.aspx?ActID=15984>

Ministry of Environment and Spatial Planning and relevant municipal officers: Expand inclusive social housing and boost municipal capacity to expedite legalizations to overcome structural barriers and ensure that non-majority communities, women, and youth continue to actively participate in spatial planning.

Ministry of Communities and Return and relevant municipal officers: Assess the reasons for the limited demand for land allocation for returns-related projects at the government level, with a view to strengthening support for DPs' return efforts.

Ministry of Finance and Transfers and relevant municipal officers: Promote and operationalize the exemption from immovable property tax through awareness campaigns among non-majority communities and DPs whose properties are illegally occupied.