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PROPERTY RIGHTS PROGRAM (PRP)

NATIONAL BASELINE SURVEY FOR PROPERTY
RIGHTS IN KOSOVO

JUNE 2015

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Tetra Tech Contacts:

John (Jack) Keefe, Senior Technical Advisor/Manager
159 Bank Street, Suite 300
Burlington, Vermont 05401
Tel: (802) 495-0282
Email: jack.keefe@tetrattech.com

Don Cuizon, Project Manager
159 Bank Street, Suite 300
Burlington, Vermont 05401
Tel: (802) 495-0309
Email: don.cuizon@tetrattech.com

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EXECUTIVE SUMMARY

The overall goal of the USAID/Kosovo Property Rights Program (PRP) is to improve the property rights. In order to build a more detailed understanding of public attitudes to property rights in general, and women's rights to inherit property in particular, Tetra Tech commissioned UBO Consulting to carry out a survey to gain insights into public opinions on property rights, women's right to inherit, and satisfaction with court services on resolving property disputes. A representative sample of 1,250 adults living in Kosovo was used to conduct this survey. The sample consisted of three sub-sets: 850 K-Albanians, 200 K-Serbs and 200 K-Other Minorities.¹ The survey took place from April 3 - 27, 2015.

For a more comprehensive picture into people's attitudes/behaviors about women's rights to inherit property, UBO Consulting also conducted 15 focus groups with citizens across Kosovo. Focus groups were held with members of Albanian, Serb, and Roma Ashkali and Egyptian communities. To obtain specific information in regard to satisfaction with courts, one focus group was held only with respondents who had previous experience with property/inheritance cases. The focus groups were held from April 16 - 30, 2015.

KEY FINDINGS

- Of the total respondents, 78% said that there are no female members in their household registered as property owners. Of the total, 16% said that there is one female household member registered as a property owner, while the number of respondents who claimed that in their households there is more than one female owner registered was very low (6%).
- In comparison to male respondents, female respondents were more likely to believe "property that they created during marriage" is theirs (35% of females vs. 26.7% of males). On the other hand, male respondents were much more likely to report that "inherited property from parents" (80% vs. 47% female) belongs to them.
- Of the total respondents, 59% said they believe that women should inherit property from their birth families, compared to 35% who believed that women should not inherit property from birth families. Of the total female respondents, 62% believed women should inherit compared to 55.6% of male respondents.
- Of the total respondents, 62% could not recall any cases in their circle of acquaintances when a daughter had inherited property, while 19% could recall one case.
- A vast majority of survey respondents believe that women often renounce or withdraw their property/inheritance rights (87%). Only 10% stated that they do not believe that women renounce/withdraw their property/inheritance rights.

¹ Other Minorities include members of Roma, Ashkali, Egyptian, Turkish, Bosniak, Croatian, and Gorani communities living in Kosovo

ADDITIONAL FINDINGS

- Of the total respondents, 23% stated that they don't consider themselves to be owners of any immovable property. Women were more likely than men to believe they did not own any immovable property (29% women vs. 17% men).
- There is no statistically significant difference in knowledge of documents needed to make a real estate transaction among ethnicities ($p=.093$).
- The survey showed a general lack of knowledge: only 39.3% of respondents of Albanian ethnicity, 42% of Non-Serb minority ethnicities, and 23.9% of Serb respondents claimed they have knowledge of basic documents needed to make a real estate transaction.
- In Ferizaj region, knowledge of inheritance and real estate transactions was very low compared to other regions. Only 6.2% know the documents for a real estate transaction, compared to between 25% and 57% in other regions, and only 15.6% for an inheritance proceeding compared to between 27% and 57% for other regions. Similarly, Ferizaj residents were less likely to think women (mothers and daughters/sisters) could initiate inheritance proceedings (9.9%/4.2%) or transact real estate (4.6%/1.1%). Residents of Gjakova were similarly unlikely to identify women (inheritance: 15.1%/7.2%; real estate: 6.2%/2.2%).
- In general, respondents believe that fathers are the household member that can make real estate transactions (buy/sell/lease/mortgage). 73% of all respondents answered that the "father" is the household member that can make a real estate transaction, while 25% believed "son/brother" can make such a transaction, and only 24% believed "mother" can make such a transaction. The 24% of respondents who selected "mother" as a person who can make a transaction were those respondents who answered the question correctly by selecting every member of family as eligible to make such a request.
- In Peja region, 55.2% of respondents and in Gjakova region 32.6% said there was one registered female household member as compared to only between 13.1% and 16.3% elsewhere.
- Serb respondents (41%) were more likely to report that they have at least one registered household member that is female in comparison to Albanian respondents (16%). This indicates that the Albanian community may have stronger cultural attitudes against women's ownership of property.
- Female respondents are the majority of those who said they are unaware of basic documents needed to request an inheritance. Specifically, 66% of female respondents said they do not know of these documents, compared to 48% of male respondents who said the same.
- Albanian (41%) and non-Serb minority (39%) respondents were more aware of which basic documents are needed to request an inheritance when compared to Serb respondents (22%).
- Whereas the percentage of Serb respondents who could not recall a case where a daughter inherited property in their circle of acquaintances was 17%, the percentage of Albanian respondents was 65% and the percentage of non-Serb ethnic groups was 39%.
- The percentage of female respondents (34%) who said that they had renounced their property/inheritance rights was considerably higher than the percentage of male respondents who stated the same (6%). However, it should be noted that these percentages come from the smaller group of those who have been through an inheritance proceeding (33% of the women surveyed and 36% of the men).

- In Ferizaj region, 98.4% of people agreed that inheritance between sons and daughters should be equal and 84.5% believed that women should inherit from their birth families, while in Peja only 47.5% agreed that inheritance between sons and daughters should be equal and only 29.2% agreed that women should inherit from their birth families.
- In general, mothers were viewed as most supportive of women's inheritance, followed by fathers. This varied significantly by region. In Gjakova, only 3% said fathers are very supportive, while in Ferizaj 72.4% did. In Mitrovica, 40.2% said fathers are very supportive, while in Prizren only 11% said this. The other regions ranged from 25% to 39%. In Ferizaj people were much more likely to say mothers are very supportive (87.4%) than in Gjakova (6.6%). Other regions ranged between 26% and 64.7%.
- Of the total respondents, 57% said their birth family had never gone through an inheritance proceeding.
- Only 5% of respondents claimed to have had a property related case filed in court. Only 2.2% of women and 6.9% of men had a property case.
- The majority (67%) of female respondents that were involved in a property-related case (out of only 2% of female respondents) said that a male member of their family was the one that initiated legal action in court.
- Only 22% of respondents who had a property related case were satisfied with timing of case processing.

1.0 INTRODUCTION AND BACKGROUND

Despite significant progress over the past decade, Kosovo shares in many of the global challenges to attaining gender equality. These include women's unequal access to economic and environmental resources.² The rule of law in Kosovo is constrained by poorly defined and enforced property rights, especially the property rights of women and members of minority communities. The absence of an effective property rights regime weakens democratic governance, adversely affects human rights, disempowers women, and impedes sustainable economic growth. In 2014, women owned only 15.2% of immovable property in Kosovo, including land.³

Tetra Tech has been awarded by U.S. Agency for International Development (USAID) a contract to implement the Property Rights Program (PRP) in Kosovo. The goal of the Property Rights Program (PRP) is to improve the property rights regime in Kosovo, strengthen the rule of law, and increase economic growth and investment.

Tetra Tech is working towards four main objectives under the program:

- Implement better coordination and policy priorities
- Improve court procedures related to property claims
- Enhance women's and minority rights to use property in practice
- Improve communication, access to information, and understanding of property rights

PRP has commissioned UBO Consulting to conduct a baseline survey in order to collect indicator-related information. The baseline survey has covered:

- user satisfaction with court services on resolving property disputes,
- attitudes/behaviors about women's rights to inherit property and engage in economic activities, and
- citizens' knowledge of their property rights.

² Gender Equality Strategy 2014 – 2017, UNDP Kosovo, August 2014

³ Cadaster Report on Property Ownership in Kosovo, March 2014

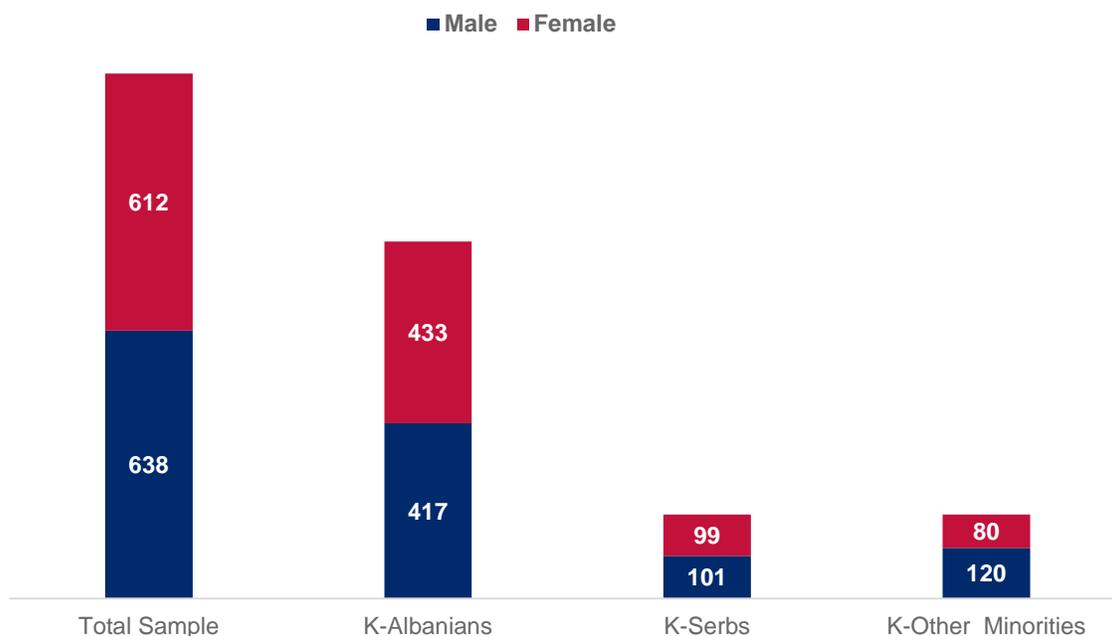
2.0 RESEARCH METHODOLOGY

A mixed methodology of quantitative and qualitative research was used for this baseline study. The research consisted of:

- A quantitative survey of 1,250 respondents
- 15 focus groups with different groups of respondents

Face-to-face interviews were conducted with 1,250 adults (aged 18+). The sample population consisted of three sub-sets: 850 K-Albanians, 200 K-Serbs and 200 K-Other Minorities. Margin of error for the full sample is $\pm 3\%$.

Figure 1. Gender breakdown of the sample



The figure above shows ethnic and gender breakdown of all three sample sub-sets. The average age of 1,250 respondents included in this survey was 38.56 years, with respondents ranging in age from 18 to 84 years. Meanwhile, the average number of members in respondents' households was 5.8, ranging from 1 to 23.

The fieldwork for this survey was carried out between April 3-27, 2015.

In addition to the quantitative survey, focus group sessions were used to gain qualitative insights into citizens' perceptions regarding issues such as:

- citizens' knowledge of their property rights
- attitudes/behaviors about women's rights to inherit property and engage in economic activities, and
- user satisfaction with court services on resolving property disputes (only in focus group sessions with court users).

The focus group discussions were held with Albanian and Serbian citizens (gender-specific), male members of Roma, Ashkali and Egyptian communities, and court users. The distribution of focus groups is shown on the table below.

Figure 2. Distribution of focus group sessions

Target group	Male Sessions	Female Sessions	Total
Albanian citizens	4	4	8
Serbian citizens	2	2	4
Roma, Ashkali, and Egyptian citizens	1	0	1
Court users	1	1	2
Total	8	7	15

For the two focus group sessions with court users, UBO Consulting used the information from the this survey to target and recruit respondents who had previous experience with court cases related to property/inheritance. For the other 13 focus groups, screening questions were asked to assure that the recruited focus group participants had no previous experience with property/inheritance-related court cases.

The focus groups were carried out from April 16 - 30, 2015.

3.0 STUDY RESULTS

3.1 CITIZENS' KNOWLEDGE OF THEIR PROPERTY RIGHTS

3.1.1 PROPERTY OWNERSHIP RIGHTS

Respondent were asked about whether they owned property, and what property ownership means to them. Of the total respondents, 23% stated that they don't consider themselves the owner of any immovable property. Women were more likely to believe they did not own any immovable property (29% women vs. 17% men).

The top three responses on what "property rights on your property" means were: "to own and use property as a result of court decision which recognized the property rights" (58%), "to own and use property which belongs to family even though the inheritance process was not initiated" (50%), and "to own and use property which you or your ancestors has bought based on legalized or notarized contract (formal contract)" (49%). There were no large differences between men and women in this regard. In Ferizaj, over 94% of respondents identified the court decision option; this was much higher than any other region and may indicate a different relationship with the courts.

Respondents thus clearly view family property and other types of property differently. The importance of registration/formalization of purchased or court-adjudicated land is recognized, but most respondents believe that they have property rights to family land even without a formal court process.

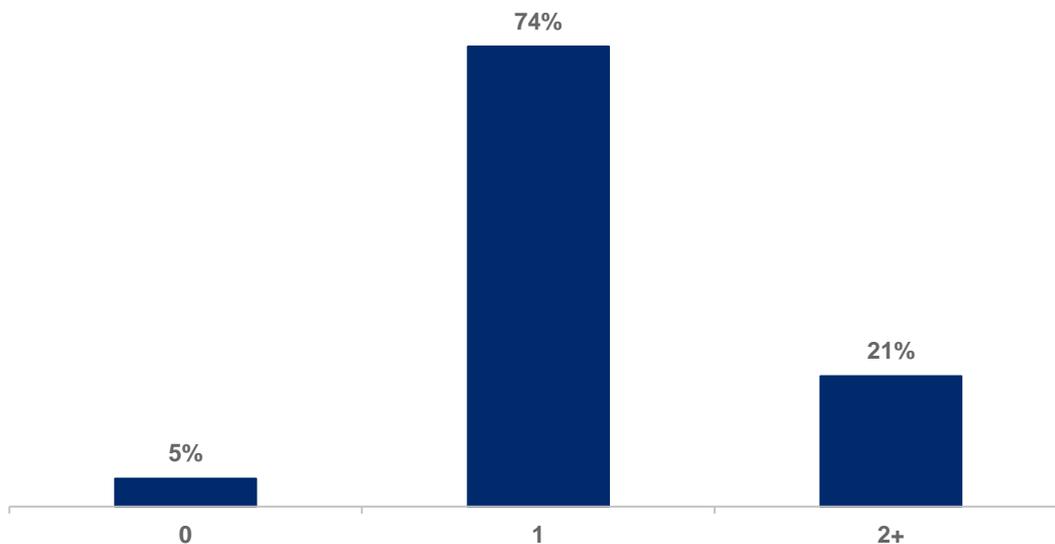
Figure 3. Can you describe what do you mean by property rights on your property?



There are some ethnic differences. Serb respondents (25%) were more likely than Albanian respondents (11%) to define property rights as "owning and using property even though they do not have a property certificate/possession", while Albanian respondents were slightly more likely to report that property rights mean "owning and using property as a result of a court decision which recognized one's property rights" (26% vs 19% Serb).

The majority of respondents (74%) stated that only one household member is registered as property owner within their households, whereas 21% said that two or more household members were registered as property owners. On the other hand, 5% of respondents claim that none of their household members are registered as current property owners. Importantly, "household member" was not defined, and may have been interpreted to mean living or deceased.

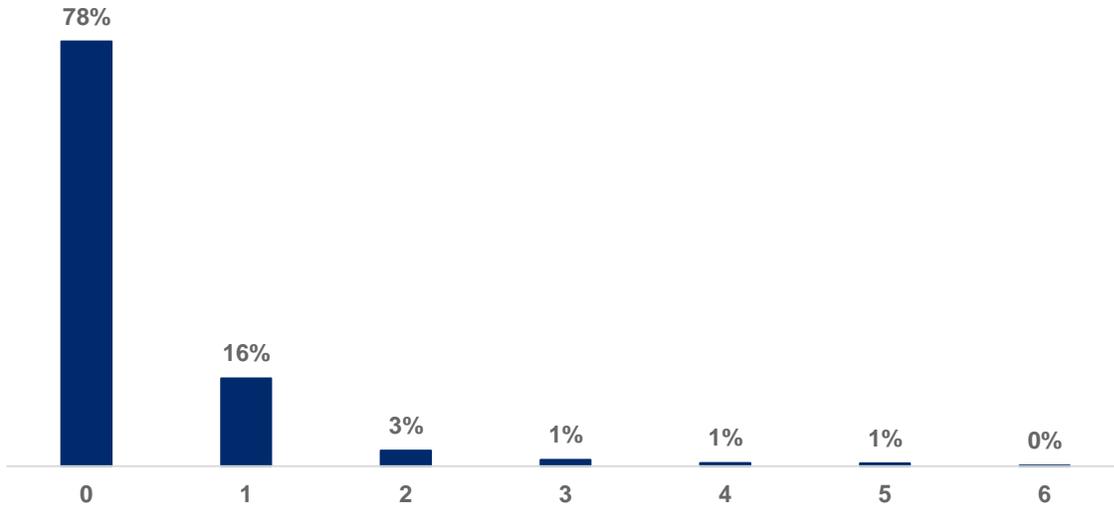
Figure 4. How many household members are registered as property owners?



The number of registered household female members was very low. Of the total respondents, 78% said that there are no female household members registered as property owners. Whereas, 16% of respondents said that there is one female household member registered as a property owner, while the number of respondents who claimed that in their households there are more than one female owner registered was very low (6%). Serb respondents (41%) were more likely to report that they have at least one registered household member that is female in comparison to Albanian respondents (16%).

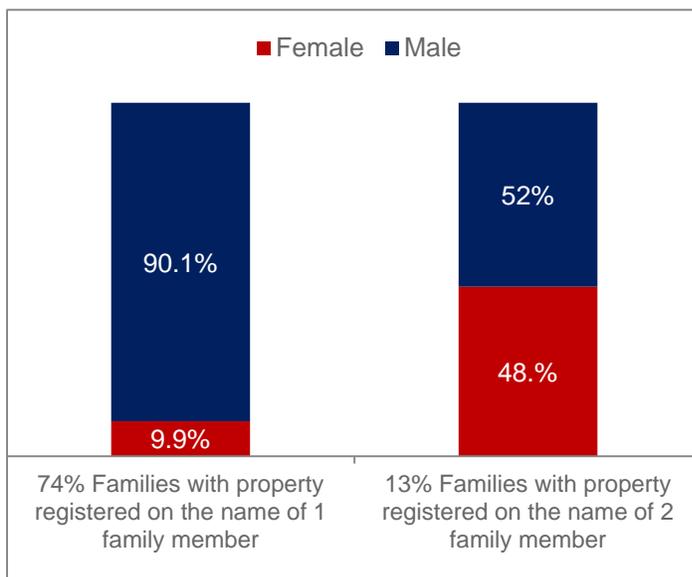
In Peja region, 55.2% of respondents and in Gjakova region 32.6% said there was one registered female household member as compared to only 13.1% and 16.3% elsewhere.

Figure 5. How many of these registered household members are female?



In 90% of the cases where there is only one family member is registered as property owner, that member is male. Meanwhile, in cases where there are two family members registered as property owners, 48% of them are females and 52% of them are males. It can be concluded from this that 13% of all property is jointly registered.

Figure 6. How many of these registered household members are female? – Disaggregated by gender



3.1.2 INHERITANCE RIGHTS

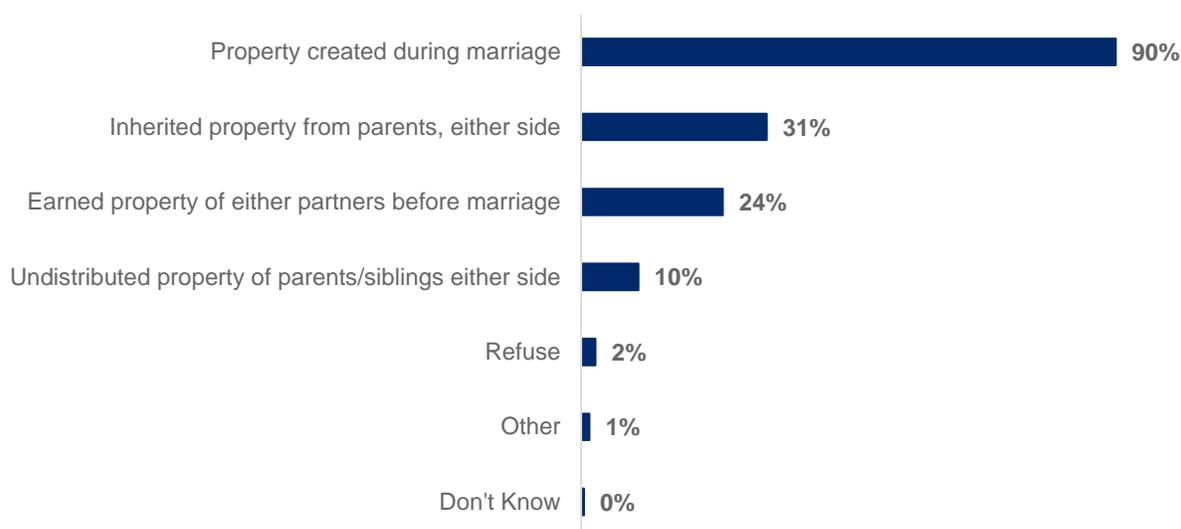
When asked about which members of the household can make requests for inheritance proceedings, only 24% of respondents provided the correct answer.⁴ The majority of respondents believed "father" (69%) could make this request, followed by "son/brother" (45%) and "mother" (35%). Both men and women believed that it is mainly the men in the family who can initiate these proceedings.

Over 95% of respondents in Peja region and over 93% in Gjakova region believed the father could make the request, in contrast to lower numbers in other regions. In Ferizaj region, only 4% believed a daughter/sister could make a request, and only 10% believed a mother could. These low numbers may indicate a worse situation for women and inheritance in this region.

There were no large differences across age groups.

When asked which property *should* belong to both partners (husband and wife), 90% of respondents said that "property created during marriage" should belong to both partners. Fewer respondents said that "inherited property from parents, either side" (31%) should belong to both partners, and even fewer said that "earned property of either partners before marriage" (24%) should belong to both partners. Only 10% of respondents believed that "undistributed property of parents/siblings on either side" ought to belong to both partners.

Figure 7. In your opinion, which property should belong to both partners (husband and wife)?



The vast majority of both female (91%) and male respondents (89%) stated that property created during marriage should belong to both partners. There were slight differences of opinions in this regard between married and unmarried respondents, as 92% of married respondents were of the opinion that property created during marriage should belong to both partners, compared to 86% of unmarried respondents who stated the same.

⁴ Set of answers: father, mother, daughter/sister, son/brother, husband/son in law, wife/daughter in law, and/or any adult related to family

This points to the difference between the perception of purchased property and inherited property. This was elucidated in focus groups. While most focus group participants agreed that women should inherit half of the property from their husbands, some argued that a women only has the right to inherit the property that has been created after she had gotten married, whereas she has no right on the property her husband had inherited.

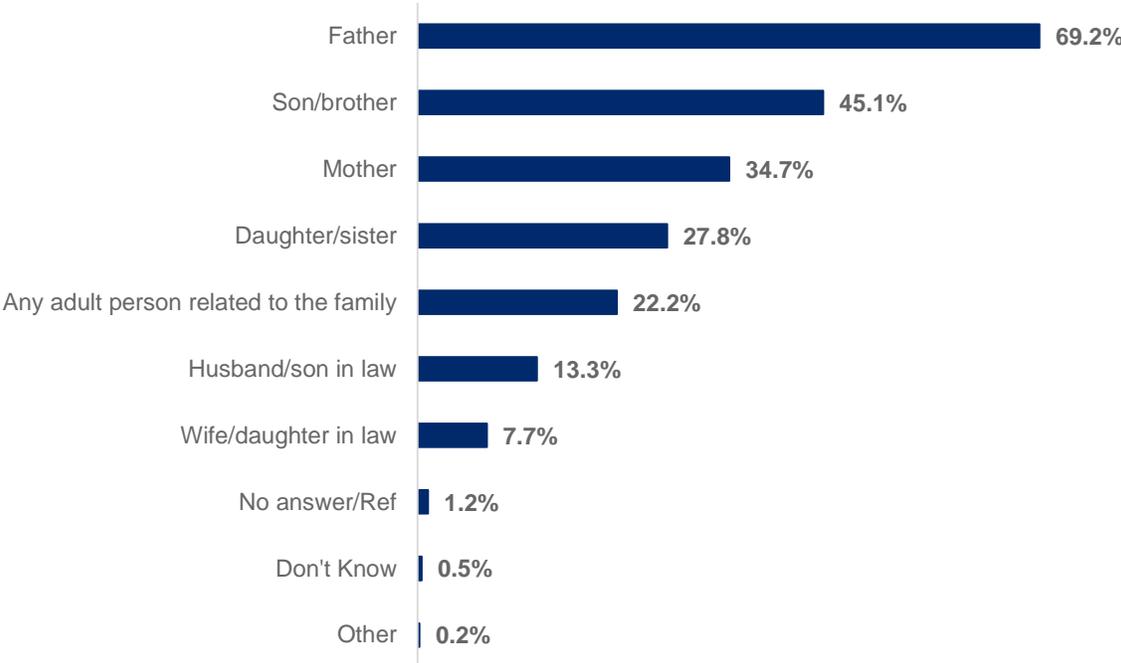
Participants from Pristina were most knowledgeable on the issue. Participants from other regions of Kosovo did not have much information regarding how the law determines this issue.

FOCUS GROUP DISCUSSION IN PEJA

“I do not consider any of my husband’s property as mine.”

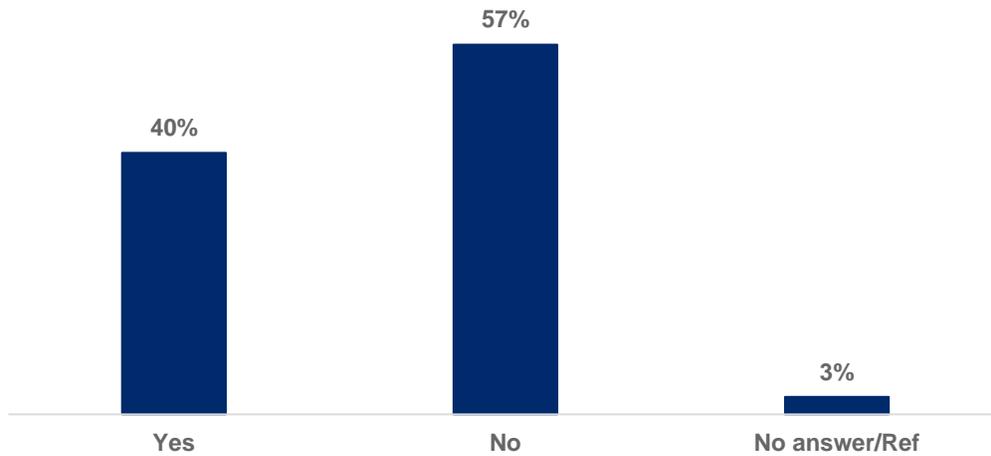
FEMALE PARTICIPANT

Figure 8. Do you know which members of household can make a request for inheritance proceeding?



Respondents were also asked whether they were familiar with the basic documents needed to request an inheritance. Of the total, 40% of them stated they were aware of the basic documents needed, whereas 57% said they were not.

Figure 9. Do you know the basic documents you need to request an inheritance?

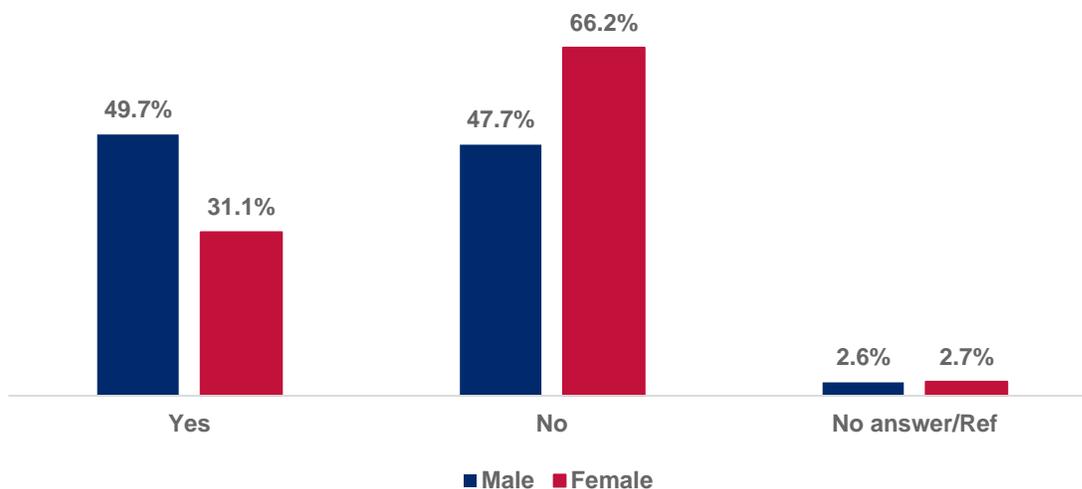


Female respondents make up the majority of those who stated they were unaware of basic documents needed to request an inheritance. Specifically, 66% of female respondents said they did not know, compared to 48% of male respondents who claimed the same. Regarding ethnicity, Albanian (41%) and Non-Serb minority (39%) respondents were more aware of these documents than Serb respondents (22%).

There were no real differences across age groups, although almost 70% of the 18-24 group did not know, versus around 58% to 46% of all other age groups.

Knowledge in Ferizaj district was significantly low; only 6.2% of respondents knew which documents were needed.

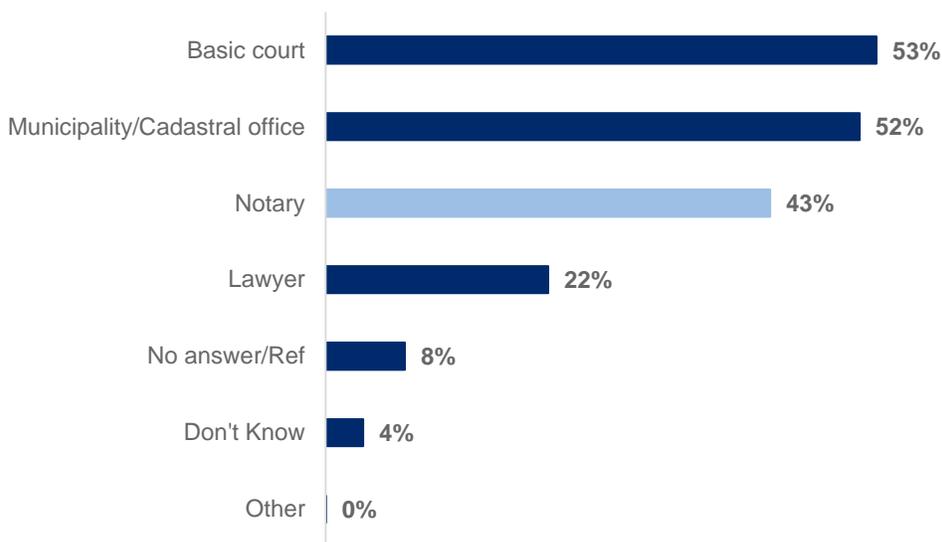
Figure 10. Do you know the basic documents you need to request an inheritance? - disaggregated by gender



When asked where to make a request for inheritance, the majority of respondents believed that requests can be made in the "basic court" (53%), or at the "municipality/cadastral office" (52%). Only 43% of respondents knew one could make a request for inheritance through a notary. While men and women were about equal on other responses, only 36% of women knew a request could be made through a

notary, compared to 50% of men. Similarly, Serbs (13%) were much less likely than Albanians (24%) or other minorities (27%) to identify the notary. There were no big differences in age groups, except that those over 65 were much less likely to identify the notary (33%) than all other age groups (between 41% and 50%).

Figure 11. Do you know where you make a request for inheritance?



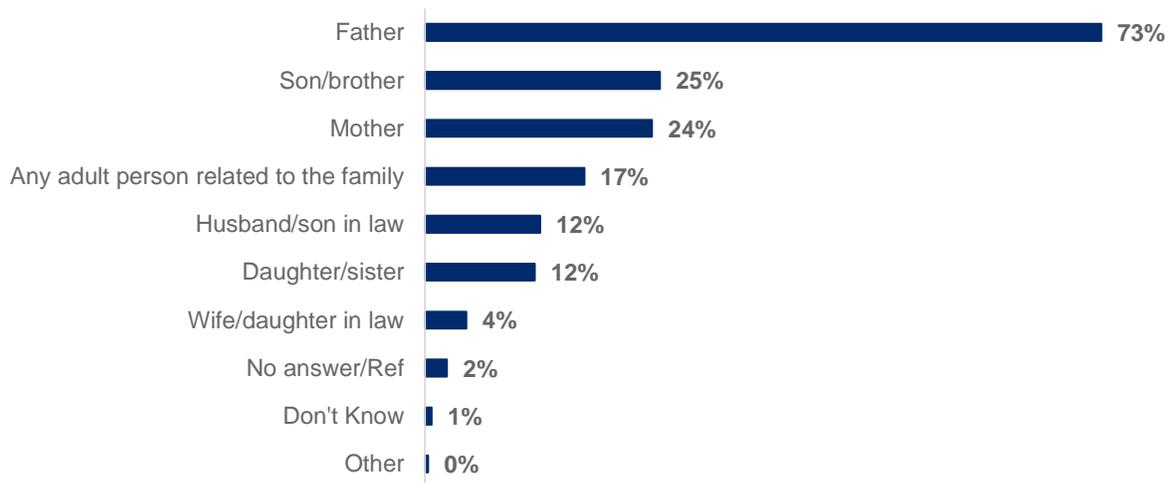
This is also supported by findings from focus group discussions, as the majority of both male and female participants were of the opinion the number of women who inherit immovable property around Kosovo is very small compared to the number of men. The main reasons for this, according to focus group participants, are related to tradition and customs, as women often do not even ask for their inheritance since “they do not want to destroy family relations and be prejudiced from society.”

3.1.3 REAL ESTATE TRANSACTIONS

Survey results revealed that, just as with inheritance proceedings, in general real estate transactions (buy/sell/lease/mortgage) were viewed as "father" exclusive. Of the total, 73% believe "father" is the household member that can make a real estate transaction, 25% believe "son/brother" can make such a transaction, and only 24% believe "mother" can make such a transaction.

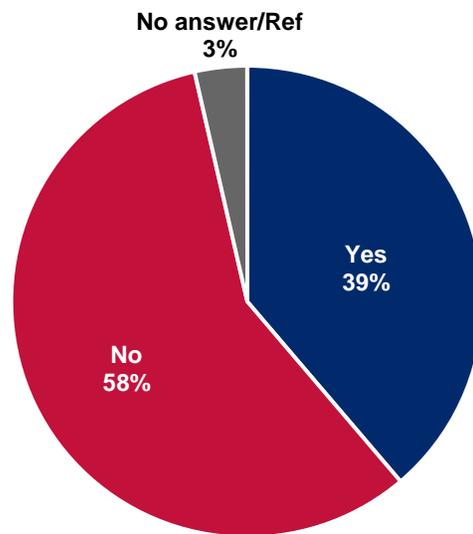
The 24% of respondents who mentioned “mother” as a person who can make a transaction were those respondents who answered the question correctly by selecting every member of family as eligible to make such a request. There were no particular differences in these numbers among age groups. By region, again, Peja and Gjakova regions had over 90% of respondents identify the father, while other regions were from 45% to 85%. Finally, Albanians (44%) were much more likely than Serbs (19%) to identify the father.

Figure 12. Do you know which members of household can make a real estate transaction (buy/sell/lease/mortgage)?



Of the total respondents, 38% claimed they were aware of the basic documents required to make a real estate transaction (buy/sell/lease/mortgage), whereas 58% claimed that they did not have this information.

Figure 13. Do you know the basic documents you need to make a real estate transaction (buy/sell/lease/mortgage)?

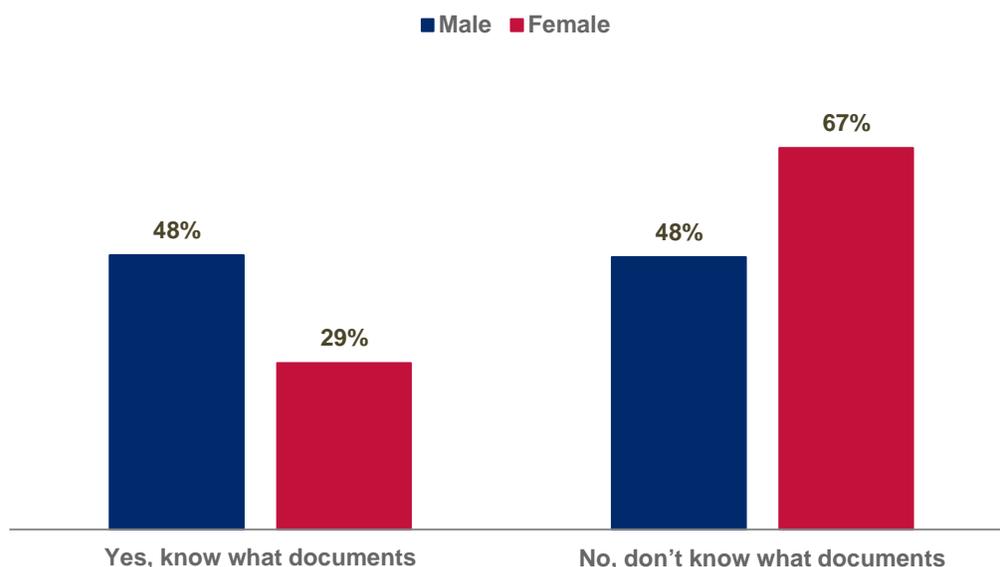


Female respondents show less awareness regarding real estate transactions. Only 29% of them claimed to know the basic documents required to make such transactions, compared to 48% of male respondents.

There were very large regional differences in knowledge. Only 6.2% of those in Ferizaj region said they knew which documents are required, while the other regions answered yes in a range from 25% (Gjakova) to 57% (Prizren). This may have something to do with an urban/rural divide or may warrant further follow-up, especially as communications plans are devised.

There were no real differences across age groups, although the very young (18-24) and very old (65+) were more likely to say they did not know (65%) than other groups (around 55%).

Figure 14. Do you know the basic documents you need to make a real estate transaction (buy/sell/lease/mortgage)? – Disaggregated by gender

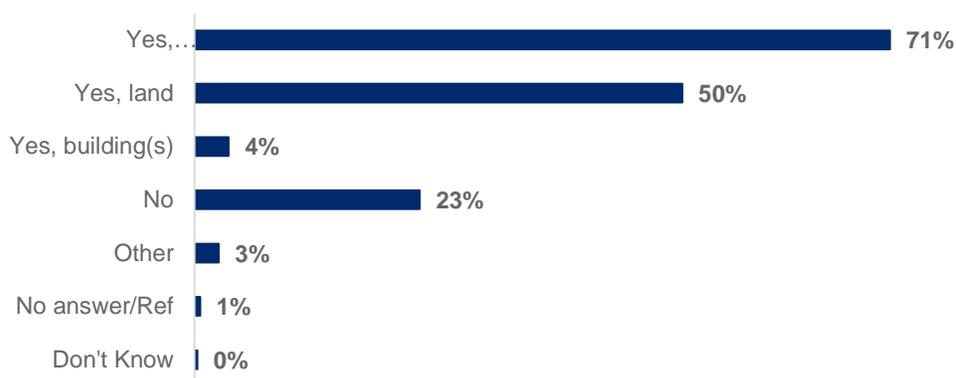


When disaggregated by ethnicity, the results show that respondents of Albanian ethnicity (39%) and those of non-Serb minority ethnicities (42%) were more likely to believe they had knowledge of the basic documents compared to Serb respondents (23.9%).

3.1.4 OWNERSHIP OF PROPERTY

When asked whether they consider themselves owners of any immovable property, over 71% of respondents said that they consider themselves owners of a "house/apartment," 50% owners of "land," 4% owners of "buildings," and 23% claimed to have no ownership over any immovable property. Again, this was self-perception of ownership; see above for the most common definitions of "ownership" among various groups.

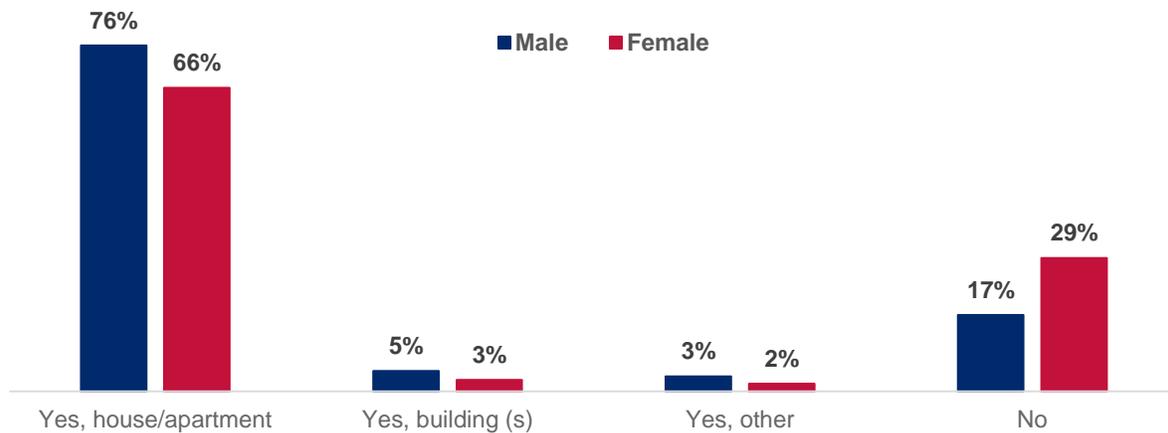
Figure 15. Can you please tell us if you consider yourself as owner of any immovable property?



Male respondents were more likely to report that they are owners of immovable property than female respondents, though the difference was starker when asked about whether land was registered. As would be expected, younger respondents were more likely to say they did not own any property (35.8% of 18-24 year olds) than other groups (between 13.2% and 26.7%).

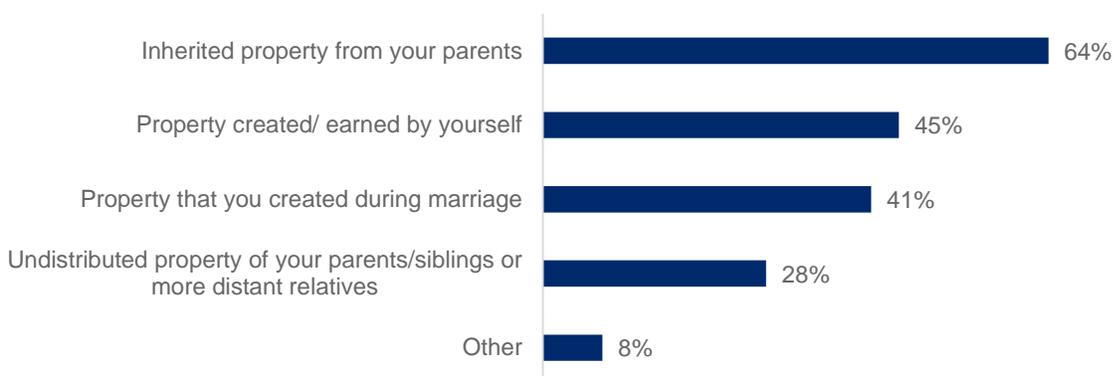
Residents of Prizren region were much more likely not to own property than residents of other regions (44.8% versus between 8.7% and 27.7%).

Figure 16. Can you please tell us if you consider yourself as owner of any immovable property? - Disaggregated by gender



When asked which property they would consider to be theirs, 64% of respondents said that they considered "inherited property from parents" to be theirs, 45% of all survey respondents considered "property created/earned by themselves" as theirs, 41% considered "property created during marriage" as theirs, and 28% considered "undistributed property of parents/siblings or more distant relatives" as their property.

Figure 17. Which property would you consider to be yours?



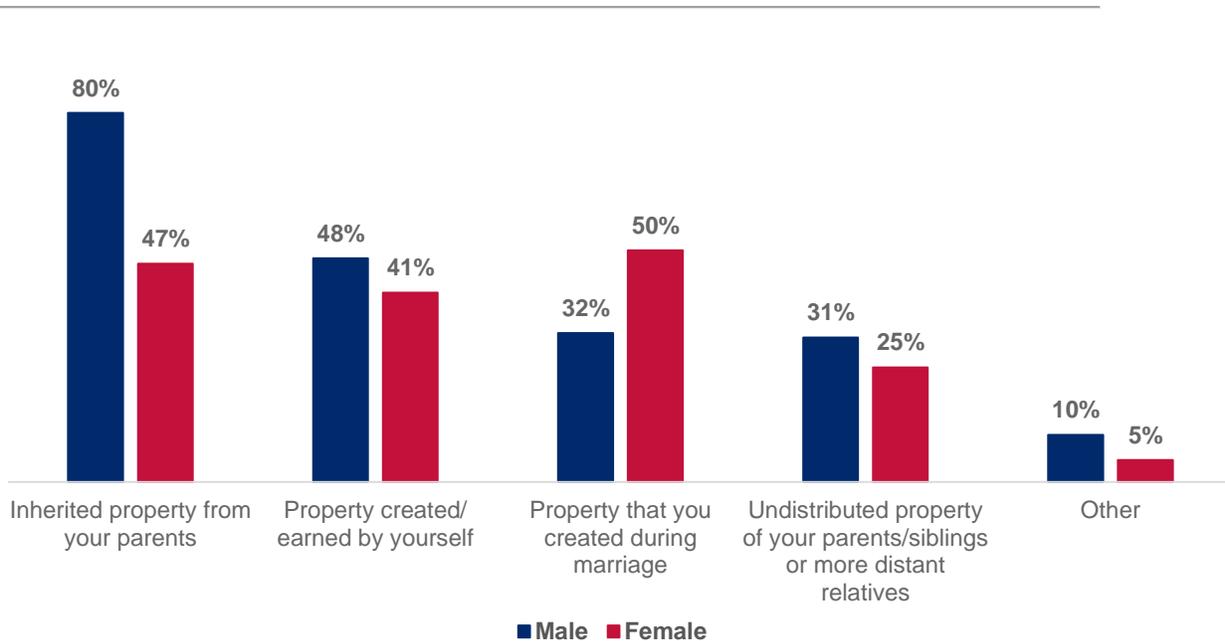
In comparison to male respondents, female respondents were more likely to report "property that they created during marriage" is theirs (50% of females vs. 32% of males). On the other hand, male

respondents were much more likely to report that "inherited property from parents" (80% vs 47% female) belongs to them.

In Pristina and Peja, respondents were much more likely to own property created during marriage (60.1% and 73%) than in other regions (between 19.4% and 46.8%). This may be because it is easier or more acceptable to purchase immovable property in city regions than in more rural areas.

In Ferizaj region, only 25.4% of respondents identified inherited property as theirs, as compared to between 49.2% and 71.1% elsewhere.

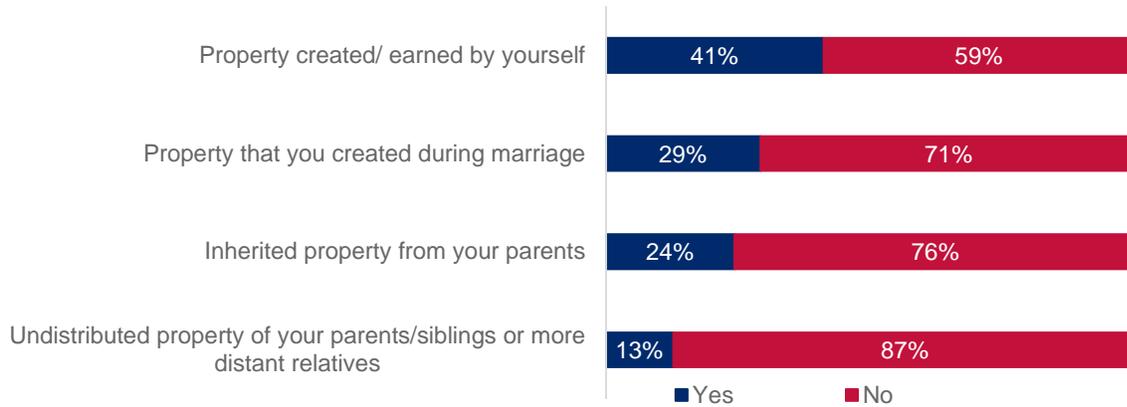
Figure 18. Which property would you consider to be yours? - Disaggregated by gender



When asked what land was registered in their names, numbers dropped considerably compared to self-perception of ownership. For instance, only 41% of those who had said they considered “property created/earned by themselves” to be theirs said that it was actually registered in their name, and only 29% said the same for “property that they created during marriage.”

Even lower percentages of respondents said that “inherited property from parents” (24%), and “undistributed property of their parents/siblings or more distant relatives” (13%) is registered in their name. This again shows that respondents tend not to prioritize formalizing ownership of inherited property, perhaps because they consider it more secure.

Figure 19. Is the property registered in your name?



When disaggregated by gender, the survey data show that male respondents were more likely to state that the property they consider to be theirs is registered in their name.

Figure 20. Which property would you consider to be yours? Is the property registered in your name? [Female Respondents]

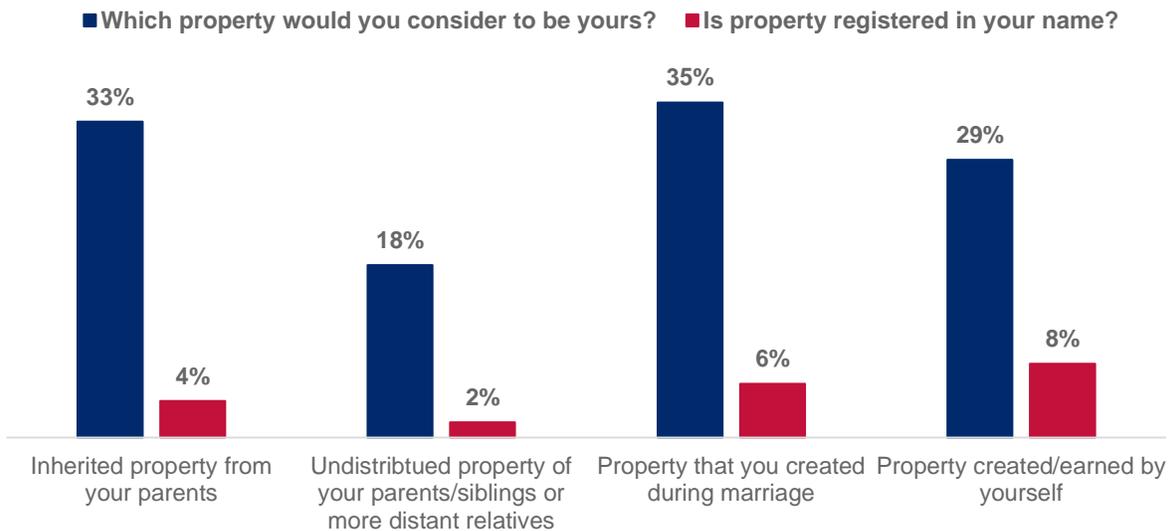
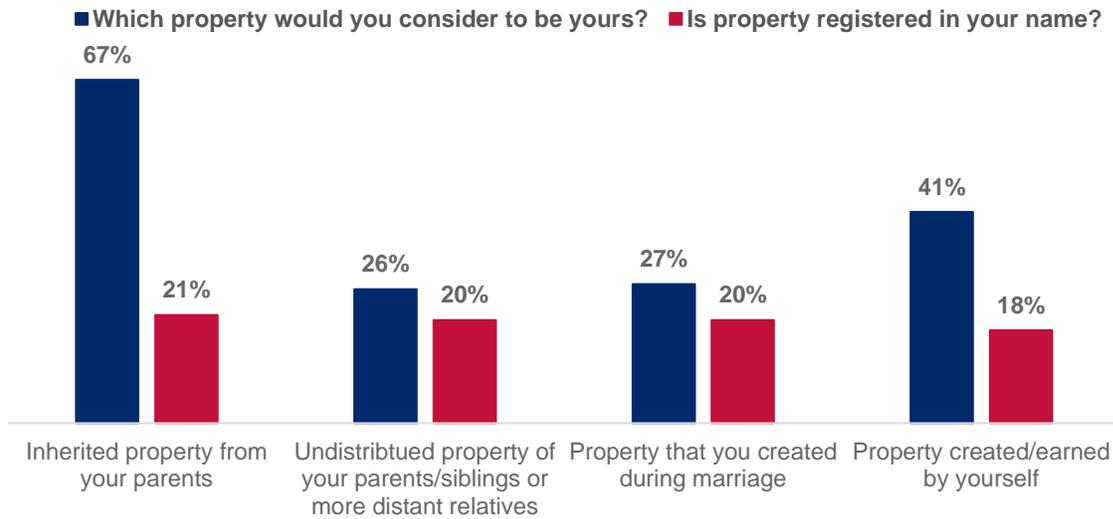


Figure 21. Which property would you consider to be yours? Is the property registered in your name? [Male Respondents]



The percentage of male respondents who had property registered in their name is significantly higher than the percentage of female respondents: 79% of men versus 19% of women. This difference is particularly stark for inherited property: 3.8% of women have this registered in their names versus 21% of men.

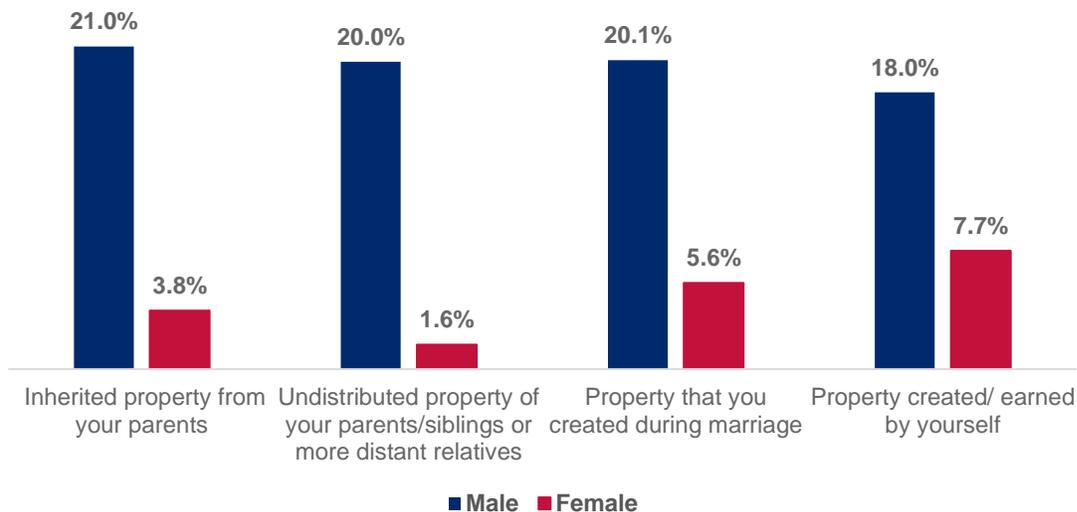
This is backed up by government figures. According to Kosovo Cadastre Agency, women owned only 15.2% of property in 2014, including land.⁵

Figure 22. Registered property – Disaggregated by gender



⁵ Cadastre Report on Property Ownership in Kosovo, March 2014

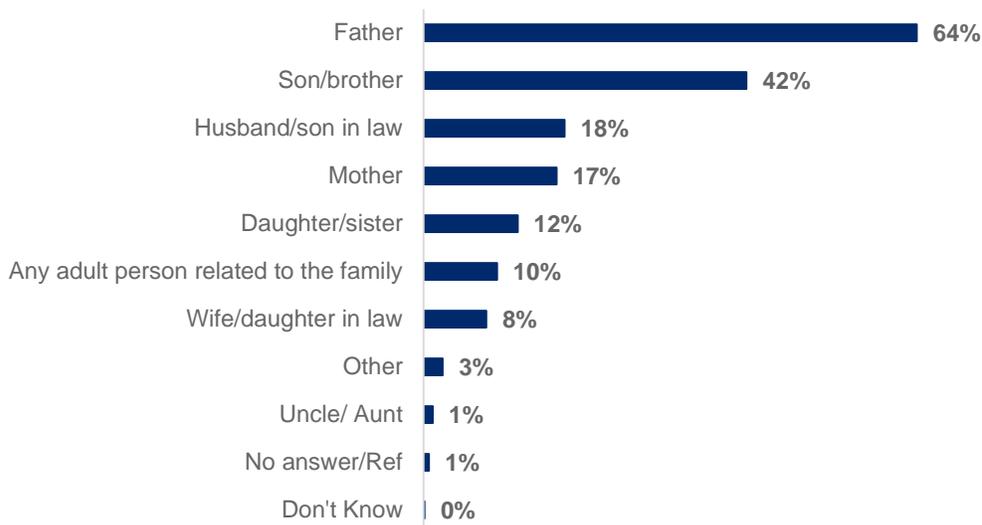
Figure 23. Is the property registered in your name? – Disaggregated by gender (n=1,250)



3.2 CITIZENS’ BELIEFS, ATTITUDES AND BEHAVIORS ABOUT WOMEN’S RIGHTS TO INHERIT PROPERTY

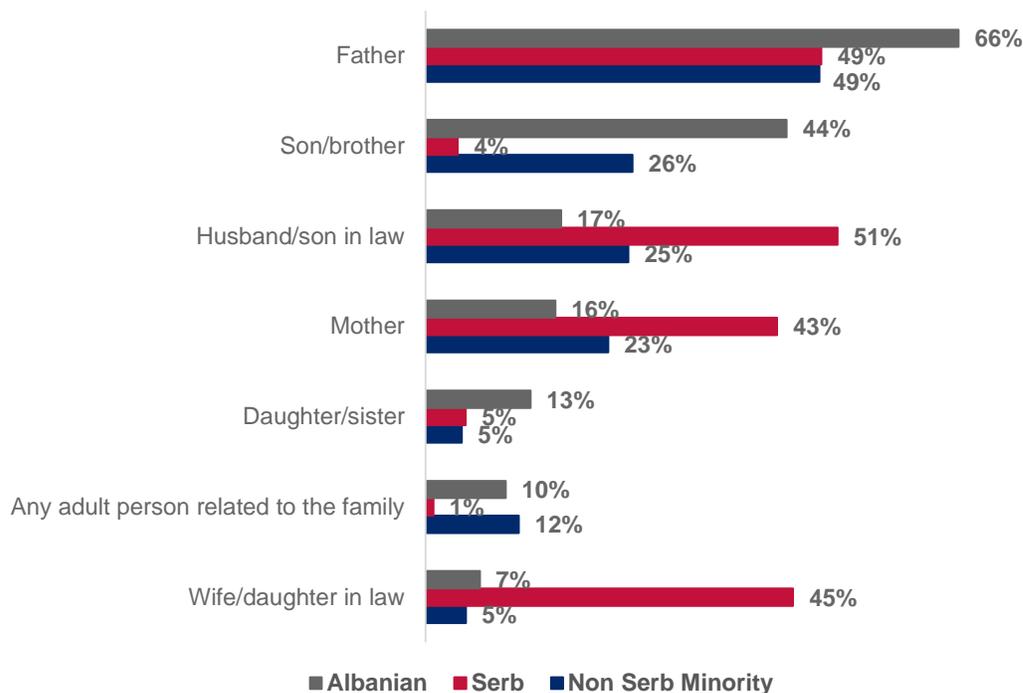
When asked who provides income in the family, most respondents identified male household members. The most popular choice was "father" (64%), followed by "son/brother" (42%), and "husband/son in law" (18%). Claims that family income is provided by "mother" (17%) and "daughter/sister" (12%) were less common among respondents. The 18-24 year-old age group was most likely to identify the father as the income provider (86.4%). Women, on the other hand, were less likely to identify the father than men (56.8% of women answered "father" versus 71.9% of men).

Figure 24. Can you please tell us who provides income in your family?



A higher percentage of Serb respondents said that female members of the family contribute to their overall income, in comparison to respondents of Albanian majority and Non-Serb minorities. A higher percentage of Peja residents (41.9%) identified the mother as a contributor, as compared to all other regions.

Figure 25. Can you please tell us who provides income in your family? - Disaggregated by ethnicity

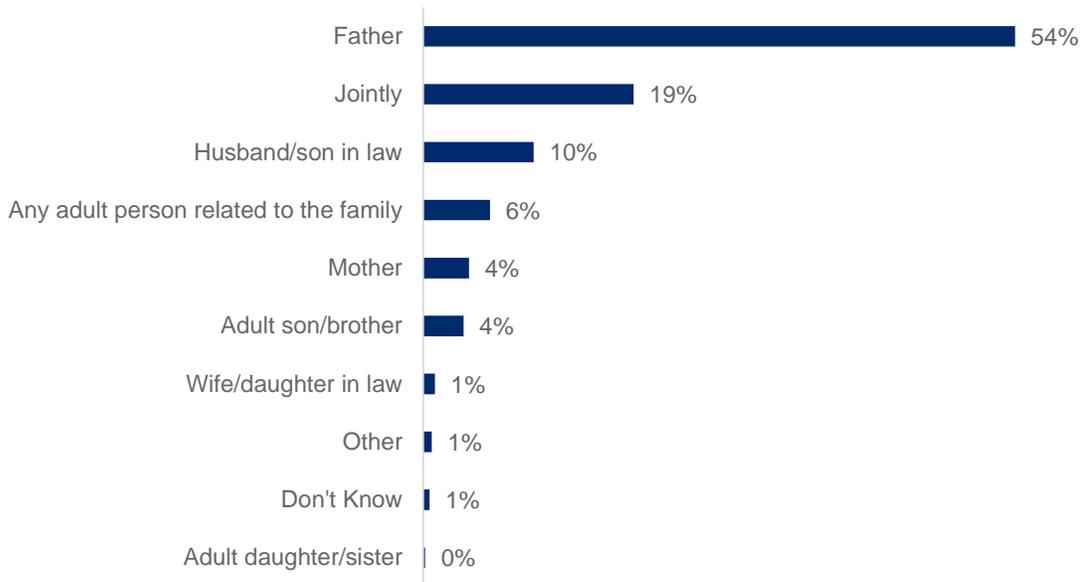


According to the majority of respondents, the main contributor to the creation of wealth in a family is most commonly the "father" (64%). Only few respondents believed that the "husband/son in law" (14%) and "adult son/brother" (10%) contribute to wealth creation. Again, the 18-24 year-old group was most likely to identify the father (85.9%), and women were less likely to answer "father" than men (56.1% versus 72.7%).

Additionally, more than half of the respondents stated that the main figure of authority for household important decisions involving family members is "father" (54%), with the youngest group again identifying the father the most (2.5%). Again, only 46% of women identified "father" versus 62.3% of men. Only 19% of respondents claimed that such decisions are made "jointly;" this figure was equal for men and women. No one in Peja or Gjakova said decisions were taken jointly, compared to the average of 19%. In Gjakova, in fact, 92% said the father makes decisions.

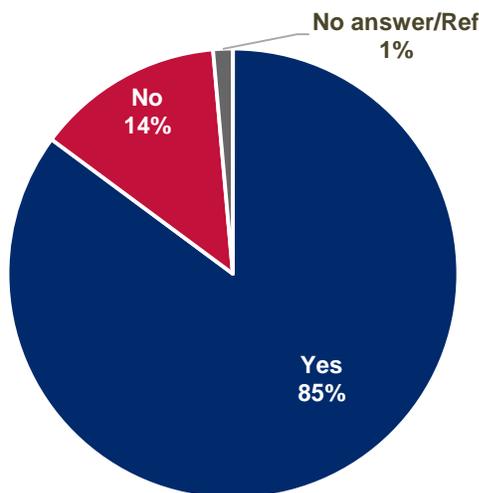
On the other hand, "mother" (4%) and "wife/daughter in law" (1%) were seen as authoritative in decision making by a small number of respondents, most frequently in Prizren (5.6%) and Pristina (5.8%).

Figure 26. Can you kindly tell us who has the authority in your household about important decisions involving you and other family members?



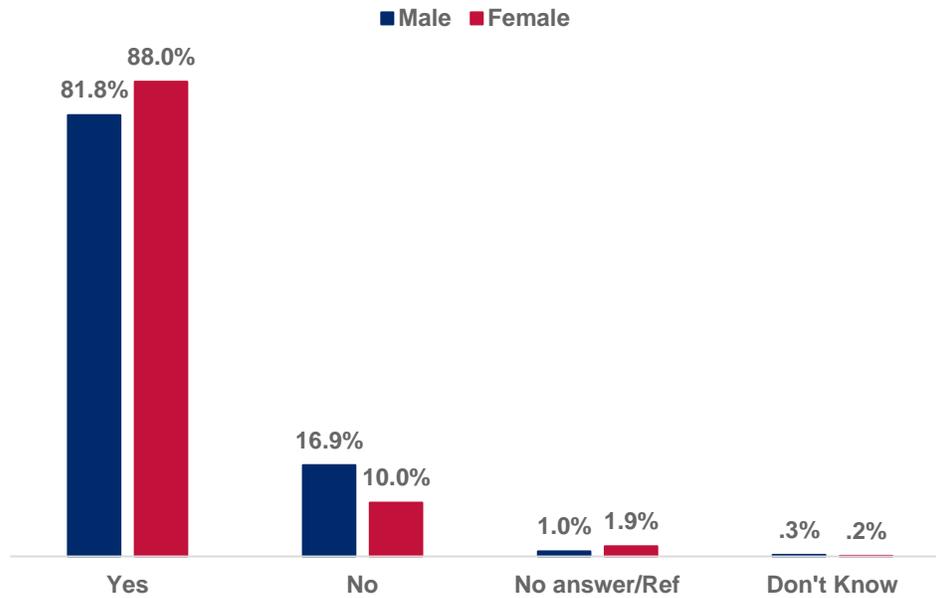
The majority of respondents stated that they believe that women and men should have equal rights to own land. Results show that 85% of respondents believe women and men should have equal rights, whereas only 13% believe that they should not. This was fairly comparable across all age groups, ethnicities, and regions, though Ferizaj had the highest rate of agreement (98.4%).

Figure 27. Do you believe that women and men should have equal rights to own land?



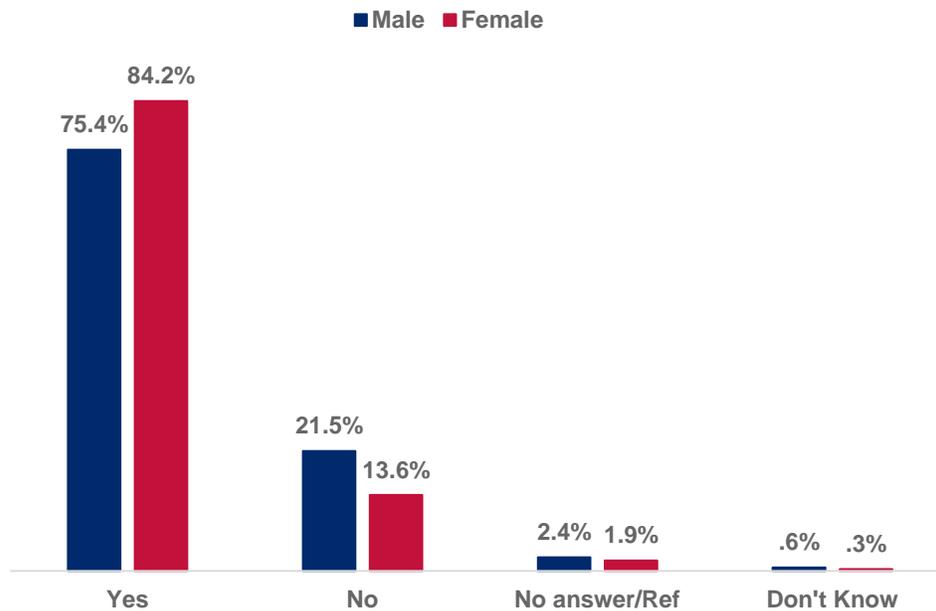
When disaggregated by gender, a slightly higher percentage of male respondents (17%) disagreed with the idea that women and men should have equal rights to own land versus 10% of women.

Figure 28. Do you believe that women and men should have equal rights to own land? - Disaggregated by gender



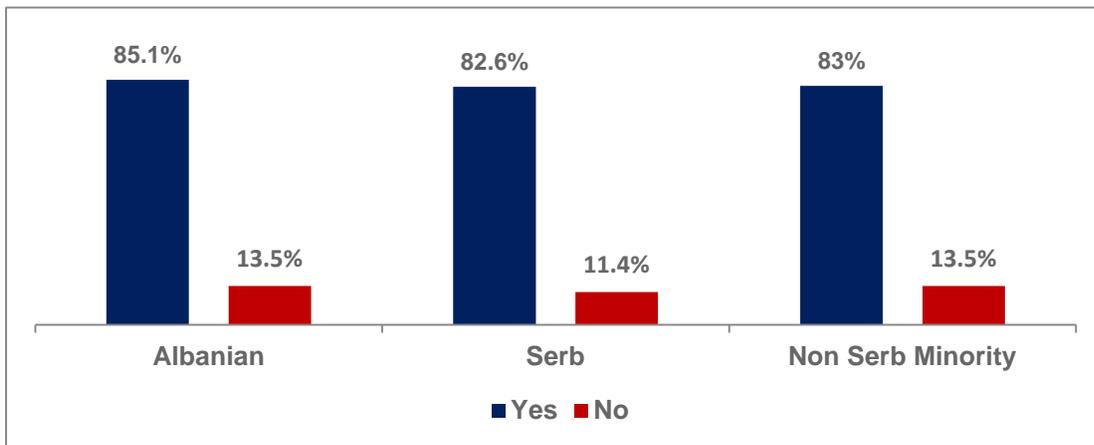
When respondents were asked if they believe sons and daughters should inherit equally, 80% said sons and daughters should inherit equally, whereas only 18% believed they should not. When the answers are disaggregated by gender, female respondents were more likely to believe that sons and daughters should inherit equally.

Figure 29. Do you believe sons and daughters should inherit equally? - Disaggregated by gender



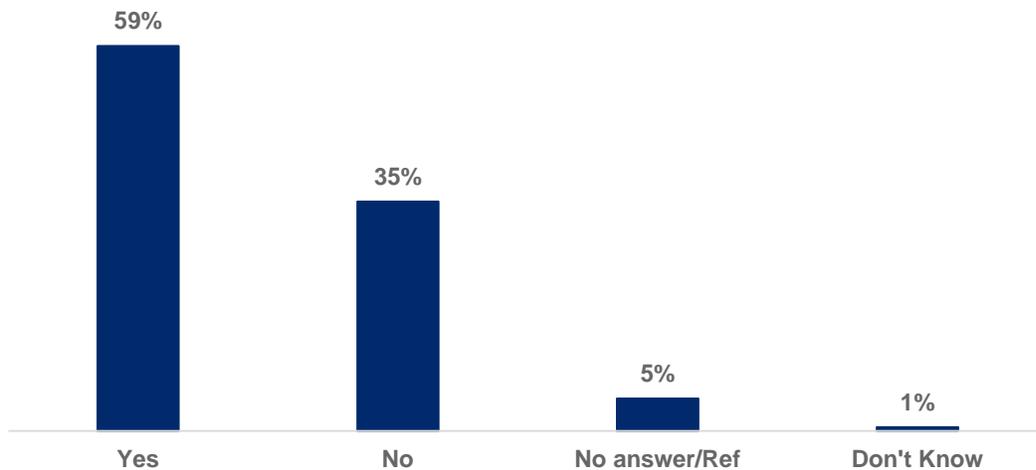
As shown on the graph below, there were no notable differences in this regard among respondents of different ethnicities or among ages. However, there were notable differences regionally. In Ferizaj region, 98.4% of people agreed that inheritance should be equal, while in Peja only 47.5% agreed. The other regions were all between 73% and 86% in agreement.

Figure 30. Do you believe that women and men should have equal rights to own land?



Meanwhile, 59% of respondents said they believe that women should inherit property from their birth families, compared to 35% who did not. This difference may indicate a difference in how adult women are perceived, perhaps as members of their husbands' families, versus how daughters are perceived, perhaps as members of their natal families.

Figure 31. In your opinion, should women inherit property from their birth families?



The number of male respondents (56%) who believe that women should inherit property from their birth families was smaller than that of female respondents (63%). Regarding ethnicity, Serb respondents (37%) were less likely to report that women should inherit property from birth families in comparison to Albanian respondents (60%) and non-Serb minorities (68%).

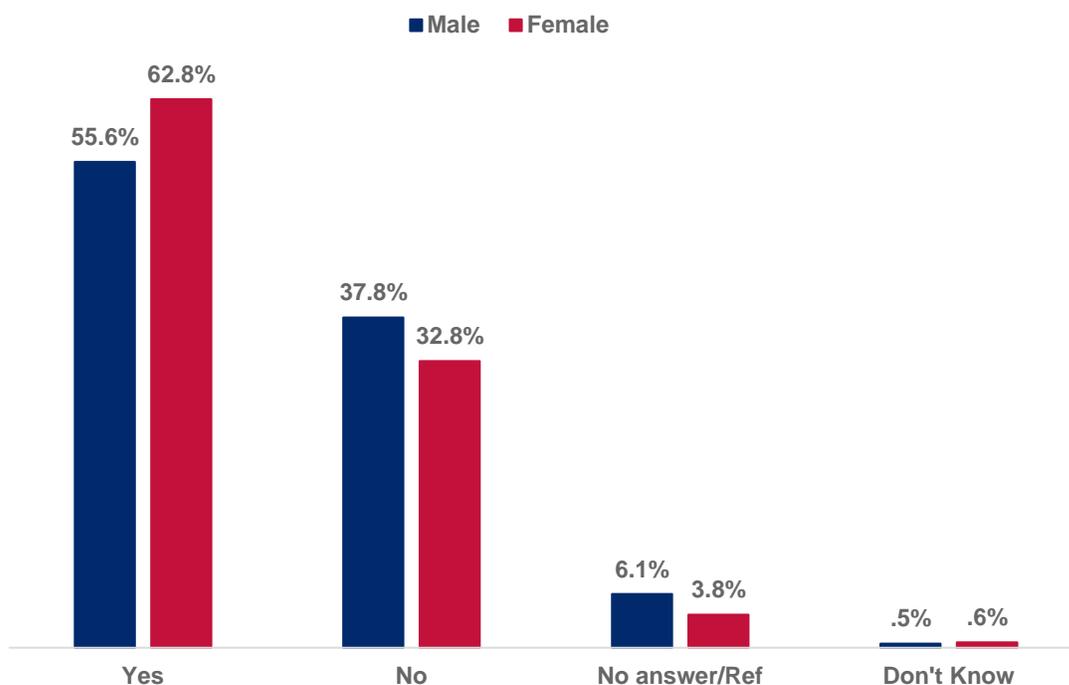
FOCUS GROUP DISCUSSION WITH SERBIAN CITIZENS

“I am aware of a case where the brother sold all inherited family property and did not share any of the money with his married sisters. He subsequently left all the money to his own children.”

MALE PARTICIPANT

Again, agreement was highest in Ferizaj region (84.5%) and lowest in Peja (29.2%).

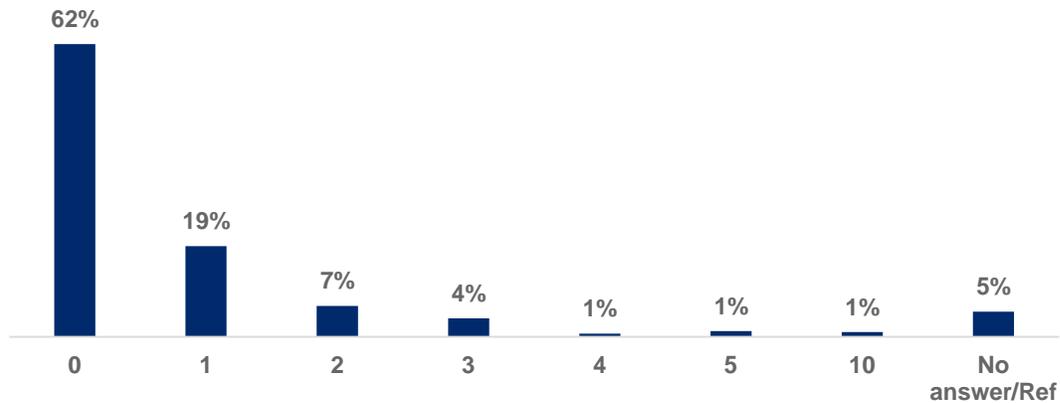
Figure 32. In your opinion, should women inherit property from their birth families? - Disaggregated by gender



Findings from focus groups show that while most participants agree that women have the right to inherit, they think that this is usually not what happens in Kosovo. There were also respondents who stated that women do not have the right to inherit the same amount of the estate as men, as they live under their husband’s roof once they get married.

When asked whether they could recall a case when a daughter inherited property in his or her circle of acquaintances, the majority of survey respondents stated that they could not recall a case. Whereas 62% could not recall any cases when a daughter inherited property, about 33% of them could recall one or more cases.

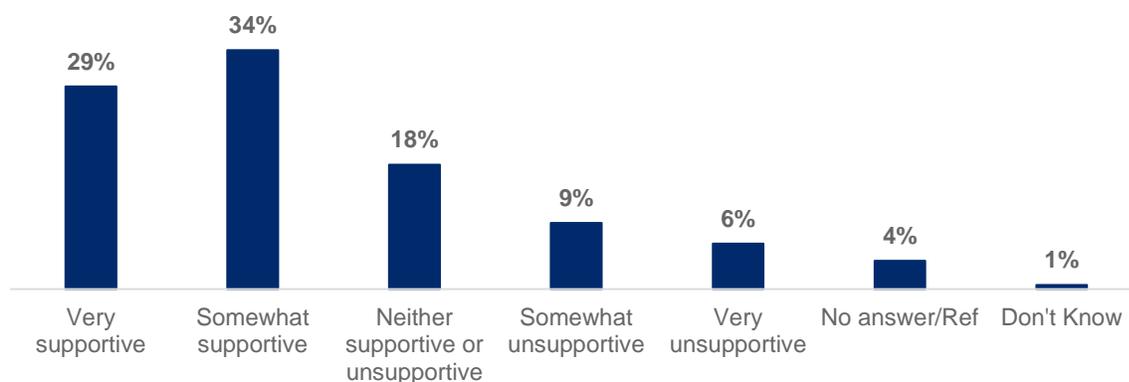
Figure 33. How many cases can you recall where a daughter inherited property in your circle of acquaintances?



Albanian respondents were more likely to be unable to recall a case (65%) than Serbs (17%) or non-Serb minorities (39%).

When asked about their perceptions of how people in their communities feel about inheritance, 29% of respondents claimed that fathers in their community are "very supportive" about their daughters' right to inherit, 34% claimed they are "somewhat supportive," 18% claimed they are "neither supportive or unsupportive," 9% claim they are "somewhat unsupportive," and only 6% claim they are "very unsupportive."

Figure 34. According to you, how supportive are fathers in your community about their daughters' right to inherit?



This varied drastically by region. In Gjakova, only 3% said fathers are very supportive, while in Ferizaj 72.4% did. In Mitrovica, 40.2% said fathers are very supportive, while in Prizren only 11% said this. The other regions ranged from 25% to 39%. Differences by ethnic group, age, and gender were not striking.

During focus group discussions, female participants were asked to share their experiences regarding inheritance. Most said that they did not inherit immovable property from their natal families. They said that nobody asked them if they wanted to inherit property, nor did they personally ask to be part of the inheritance.

Cases of excluding women from inheritance proceedings were reported during other discussions as well. A female participant in Gjilan region stated that her brothers did not ask her at all if she wants to inherit.

According to participants, the main reason behind this is the tradition, as culturally, women are taught from their families that they should not ask to inherit anything. This was more evident in the region of Peja, where focus group participants were adamantly against the fact that women should inherit and said that they would never take inheritance from their brothers even if it would be offered to them.

FOCUS GROUP DISCUSSION IN FERIZAJ

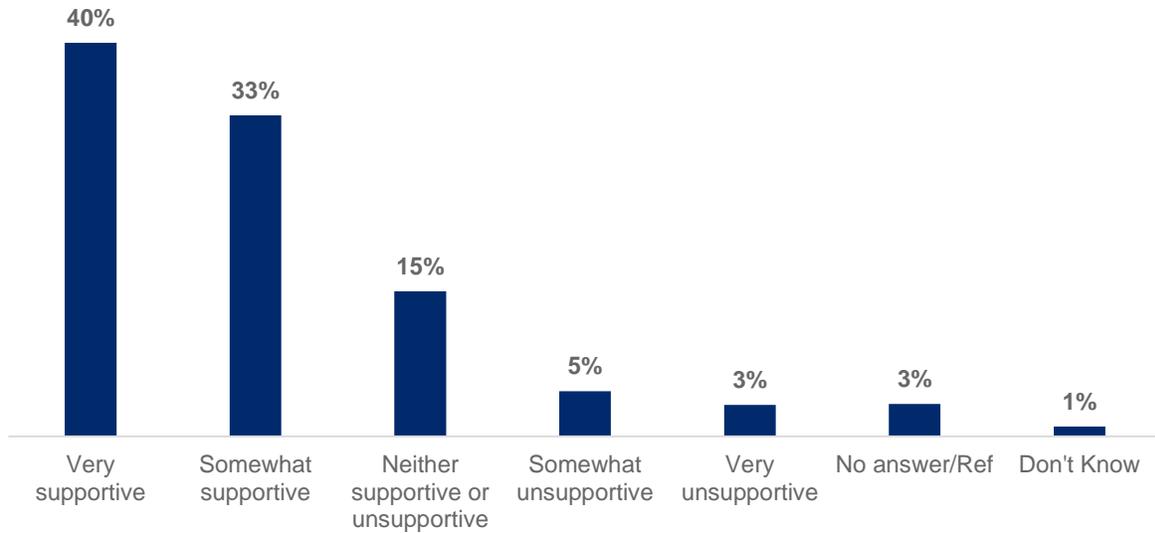
“Neither my sisters nor I wanted to take any part of the inheritance. All we want is to see our family happy, and have the privilege of going and visiting our birth family now that we’re married.”

FEMALE PARTICIPANT

According to survey respondents, mothers are a little more supportive than fathers when it comes to their daughters' right to inherit. Of the total respondents, 40% claimed mothers are "very supportive," 33% claimed they are "somewhat supportive," 15% as "neither supportive nor unsupportive," 5% as "somewhat unsupportive," and 3% as "very unsupportive."

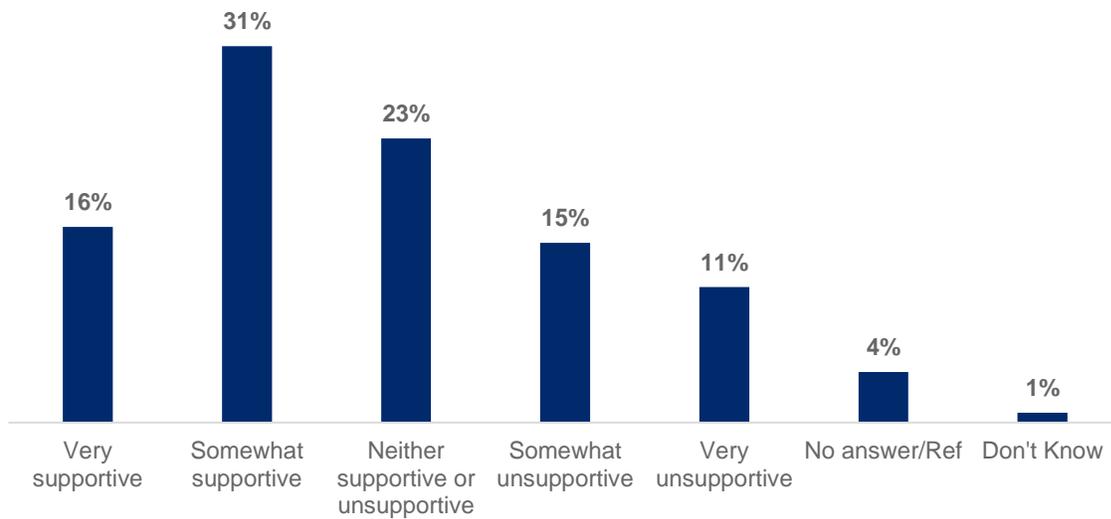
Again, there was little difference when disaggregated by gender and age. Other minorities were more likely than Albanians or Serbs to say mothers are very or somewhat supportive (80%, 73%, and 56%). Again, in Ferizaj people were much more likely to say mothers are very supportive (87.4%) than in Gjakova (6.6%). Other regions ranged between 26% and 64.7%.

Figure 35. According to you, how supportive are mothers in your community about their daughters' right to inherit?



The support of brothers for their sisters' right to inherit is relatively weak according to survey respondents. Only 16% of respondents said that the attitude of brothers for sisters' right to inherit is "very supportive" and 31% said brothers are "somewhat supportive."

Figure 36. According to you, how supportive are brothers in your community about their sisters' right to inherit?



In Gjakova and Gjilan, almost no one thought brothers were “very supportive” (0% and 2.2%) while even in the strongest region, Ferizaj, only 32% did. Only 2.5% of Serbs versus 16.5% of Albanians identified brothers as very supportive.

This indicates that the strongest communication campaigns may have to be directed at brothers, who may be most resistant across all regions and ethnicities to their sisters’ inheritance rights.

State bodies⁶ are seen as generally supportive when it comes to women’s demands for the right to inherit. Of the total respondents, 28% believed state bodies are “very supportive” in this regard, 34% believed they are “somewhat supportive,” 11% believe they are “neither supportive nor unsupportive,” and 8% each believed they are “somewhat unsupportive” and “very unsupportive.”

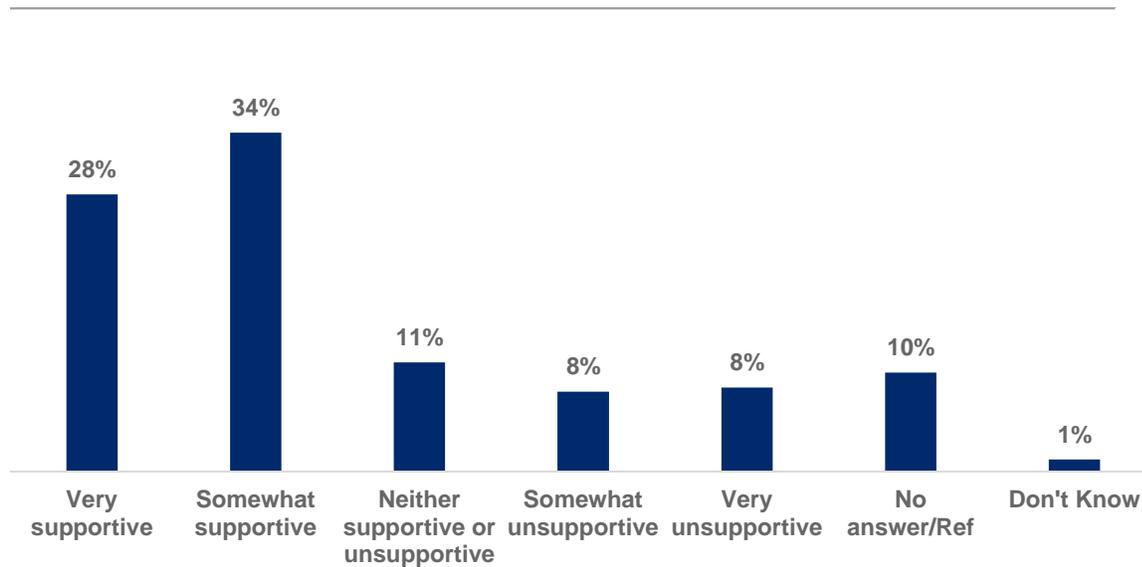
FOCUS GROUP DISCUSSION WITH NON-SERB MINORITIES

“I have two sisters and a brother. Our father has divided the property only between me and my brother. I am not sure if my sisters were asked if they wanted to be included. The process was not resolved by regular judicial procedures.”

MALE PARTICIPANT

Over 50% of other minorities thought state bodies are very supportive, compared to 26.5% of Albanians and 32.3% of Serbs. Men were more likely to think so than women (32.7% versus 22.6%). In Peja and Pristina, only 4.2% and 7.5% said state bodies are very supportive, compared with 47.2% in Prizren and 44.1% in Gjilan.

Figure 37. According to you, how supportive are state bodies if a woman demands her right to inherit?

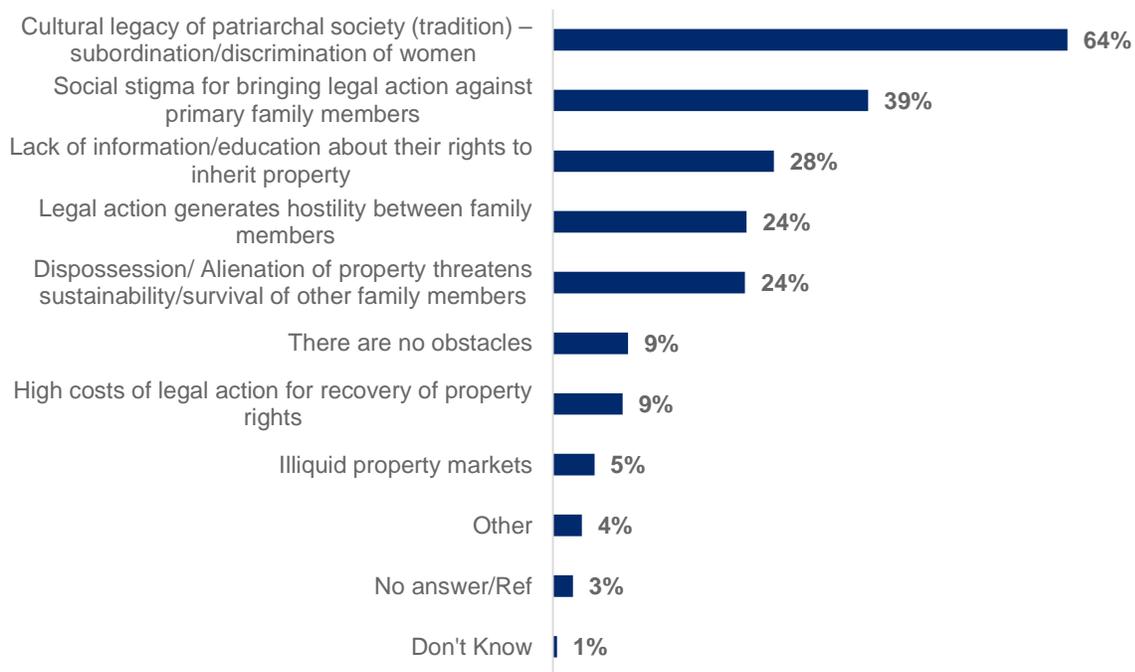


⁶ State bodies include: Judiciary; Kosovo Property Agency; Local Government, and; Central Government

Generally, focus group participants agreed that state bodies have a major role in women’s rights for property inheritance. According to focus group participants here are many cases in which state bodies support women to take their inheritance, but women are the ones who renounce their rights to inherited property.

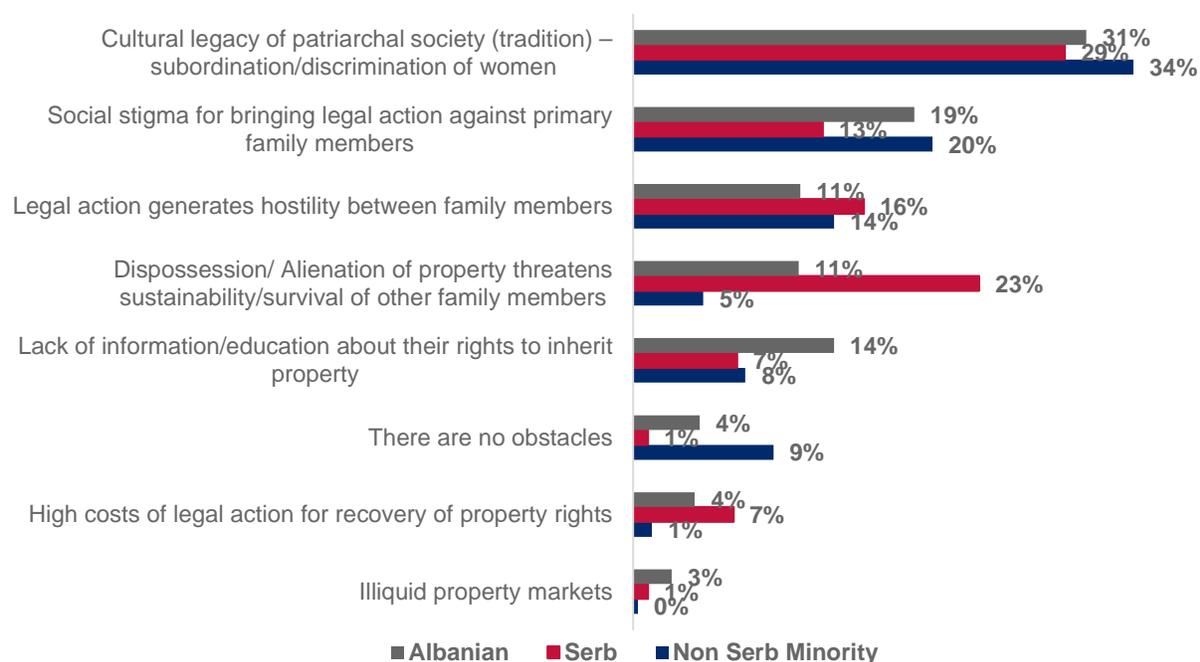
When asked to identify the biggest obstacle for equal rights to property of women, the top responses were: "cultural legacy of patriarchal society (tradition) - subordination/discrimination of women" (64%) and "social stigma for bringing legal action against primary family members" (39%). Only 9% of respondents believed that "there are no obstacles."

Figure 38. In your opinion, what are the obstacles for equal rights to property for women?



Both male and female respondents shared similar opinions with regard to obstacles for equal rights to property for women. On the other hand, when disaggregated by ethnicity, the results show minor differences as illustrated in the table below.

Figure 39. In your opinion, what are the obstacles for equal rights to property for women? - Disaggregated by ethnicity



Results were also different by region, as can be seen in the table below.

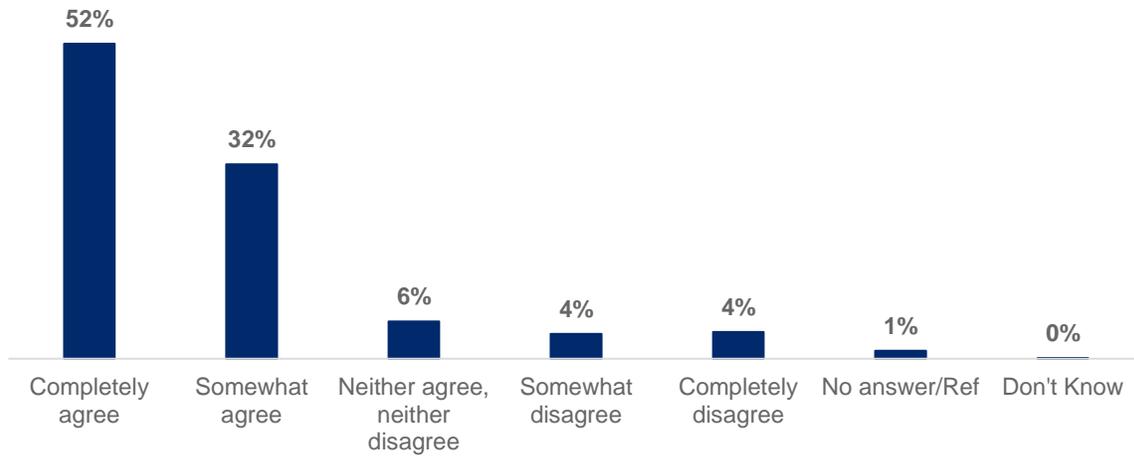
Figure 40. In your opinion, what are the obstacles for equal rights to property for women? - Disaggregated by region

	D12. REGION						
	Pristina	Mitrovica	Prizren	Peja	Ferizaj	Gjakova	Gjilan
Cultural legacy of patriarchal society (tradition) – subordination/discrimination of women	81.8%	34.2%	66.9%	87.7%	88.1%	30.3%	49.6%
Social stigma for bringing legal action against primary family members	53.1%	24.9%	42.3%	31.6%	4.2%	54.0%	47.5%
Illiquid property markets	4.1%	18.3%	.6%	0.0%	1.1%	6.0%	7.0%
Legal action generates hostility between family members	8.5%	24.9%	18.4%	27.3%	12.4%	46.8%	55.2%
Dispossession/ Alienation of property threatens sustainability/survival of other family members	34.8%	19.5%	5.4%	.2%	17.6%	57.8%	32.9%
High costs of legal action for recovery of property rights	4.3%	4.7%	1.4%	0.0%	5.9%	42.8%	13.7%
Lack of information/education about their rights to inherit property	43.5%	11.3%	27.1%	5.6%	41.7%	6.0%	40.8%
There are no obstacles	2.4%	26.2%	17.0%	7.2%	2.1%	4.0%	4.4%
No answer/Ref	1.0%	6.9%	2.0%	4.5%	.2%	1.0%	3.0%
Don't Know	0.0%	.1%	1.1%	.4%	.2%	0.0%	1.5%
Other	13.7%	.8%	0.0%	0.0%	0.0%	1.0%	0.0%

Respondents were asked to what extent they agreed with the statement "women in Kosovo do not demand their rights to inherit," The majority of respondents believed women do not demand their rights. More than half of respondents (52%) "completely agreed" with the statement, 32% of them "somewhat agreed," and only 8% either "somewhat disagreed" or "completely disagreed."

These numbers were highest in Peja region, where 84.9% completely agreed, and lowest in Mitrovica (36%) and Gjakova (39.7%). There was no significant difference between men and women or among age groups. Serbs were more likely to completely agree (63.7%) than Albanians (52%) or other minorities (36.5%).

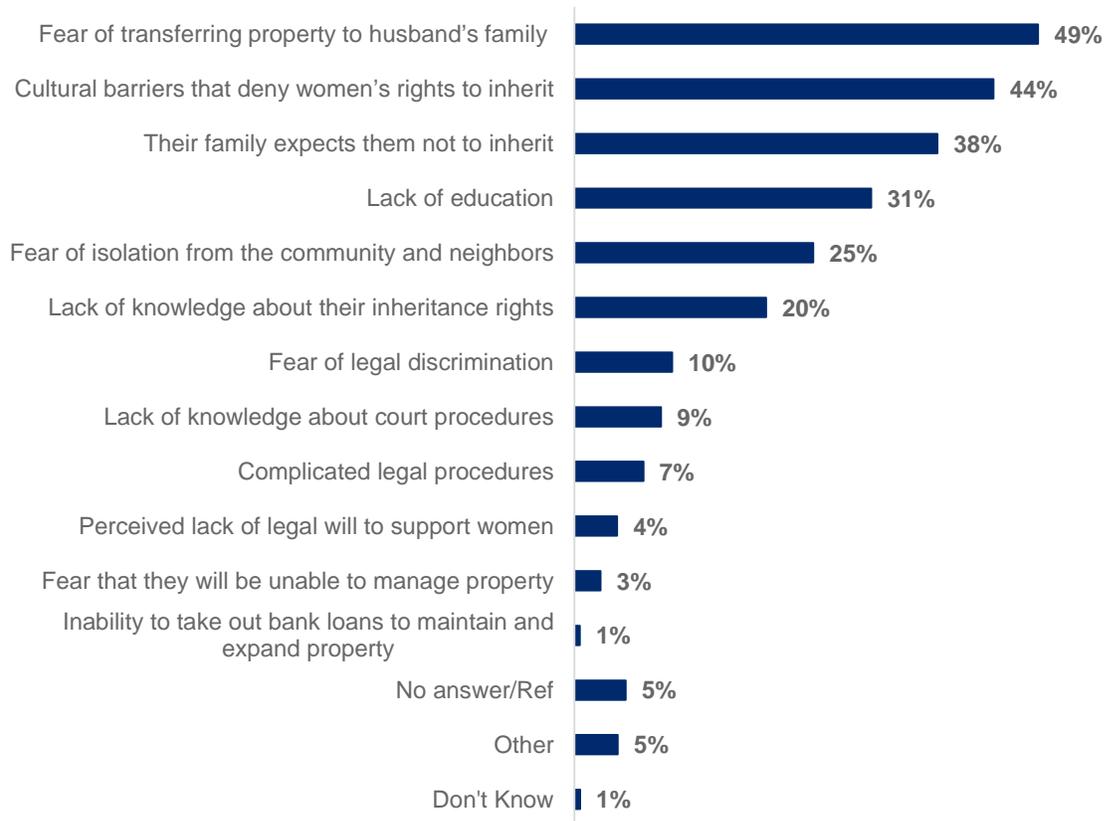
Figure 41. To what extent do you agree with the following statement: “Women in Kosovo do not demand their rights to inherit”?



According to respondents, the main reasons why women may not demand their right to inherit are "fear of transferring property to husband's family" (49%), "cultural barriers that deny women's rights to inherit" (44%), and "their family expects them not to inherit" (38%). Other frequently selected reasons are "lack of education" (31%), "fear of isolation from the community and neighbors" (25%), and "lack of knowledge about their inheritance rights" (20%). It is interesting that “fear of transferring property to husband’s family” is the top reason; this again shows that inherited property is perceived differently than other kinds of property. Inherited property may be seen as belonging to a family more than to any individual person, and therefore its transfer to another family is feared.

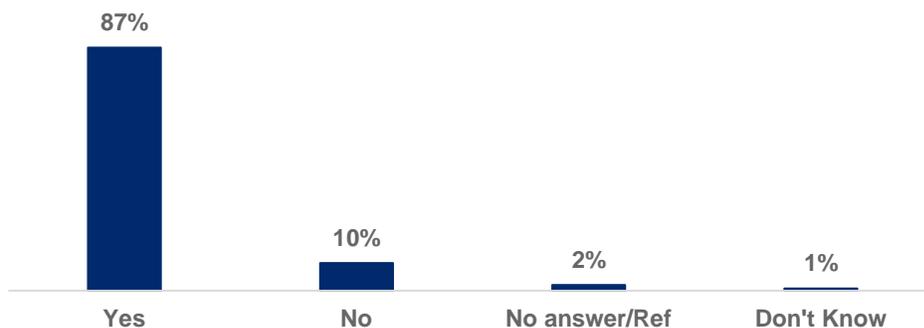
In Peja and Prizren regions, “cultural barriers” were identified much more often (71.7% and 61.9%) than in other regions. In Gjakova and Peja “lack of knowledge of inheritance rights” was much more likely to be identified than in other regions (6.2% and 3.4%). These may warrant follow up to determine why knowledge may be perceived as better in some regions, and whether cultural factors are stronger in some areas than in others.

Figure 42. According to you, what are the three main reasons why women may not demand their right to inherit?



The vast majority of survey respondents felt that women renounce or withdraw their property/inheritance rights (87%). Only 10% stated that women do not renounce/withdraw from their property/inheritance rights. This was about equal for men and women. Most regions ranged from 86.7% to 93.8%. Interestingly, only Mitrovica differed here: only 59.4% of residents agreed. This may warrant follow-up investigation to determine whether this perception is true and why agreement is so much lower.

Figure 43. Are you of the opinion that women often renounce or withdraw their property/inheritance rights?



Respondents of Serb ethnicity were more likely to believe that women do not renounce or withdraw their property/inheritance rights. Of those particular respondents, 21% of them claimed that women do not renounce their property/inheritance rights, compared to only 10% of Albanian respondents and 6% of non-Serb minority respondents.

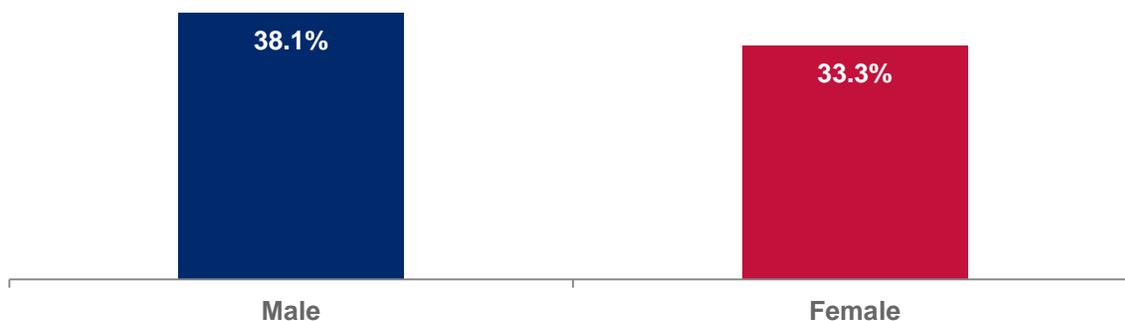
FOCUS GROUP DISCUSSION WITH ALBANIAN CITIZENS

“Once I got married, the possibility of discussing my right to inherit from my birth family was out of the question.”

FEMALE PARTICIPANT

Only 36% of respondents said their birth family had gone through inheritance proceedings. This was comparable for men and women. As might be expected, older age cohorts were more likely to have gone through an inheritance proceeding (60% of those over 65 as compared to 30% of those 25-34).

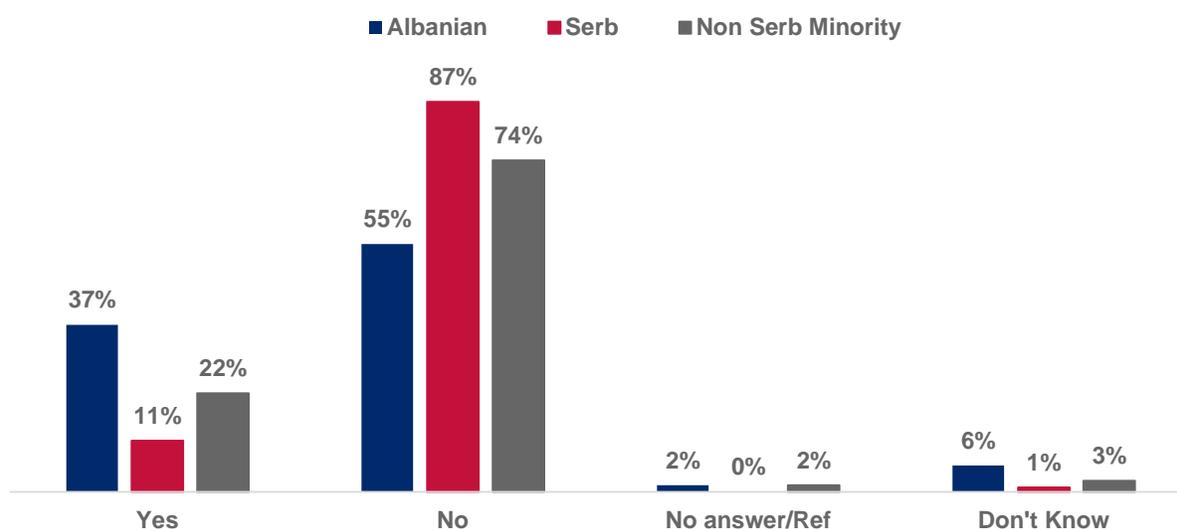
Figure 44. Has your birth family gone through the inheritance proceeding? - % of “Yes” disaggregated by gender



Compared on an ethnic basis, Serbs were least likely to have gone through a proceeding (11%), other minority respondents next least likely (22%), and Albanians most likely (37%).

Residents of Ferizaj were least likely to respond yes (9.4%) while Pristina and Gjakova residents were most likely (53.4% and 54.8%).

Figure 45. Has your birth family gone through the inheritance proceeding? - Disaggregated by ethnicity



Article 130 of the Law on Inheritance in Kosovo guarantees the right to renounce to inheritance through a statement made to the court.⁷ The majority of respondents whose families have gone through an inheritance proceeding said they had not renounced their property/inheritance rights, whereas only 19% of said they had renounced. The percentage of female respondents (34%) who said they renounced their property/inheritance rights was considerably higher than the percentage of male respondents who stated the same (6%).

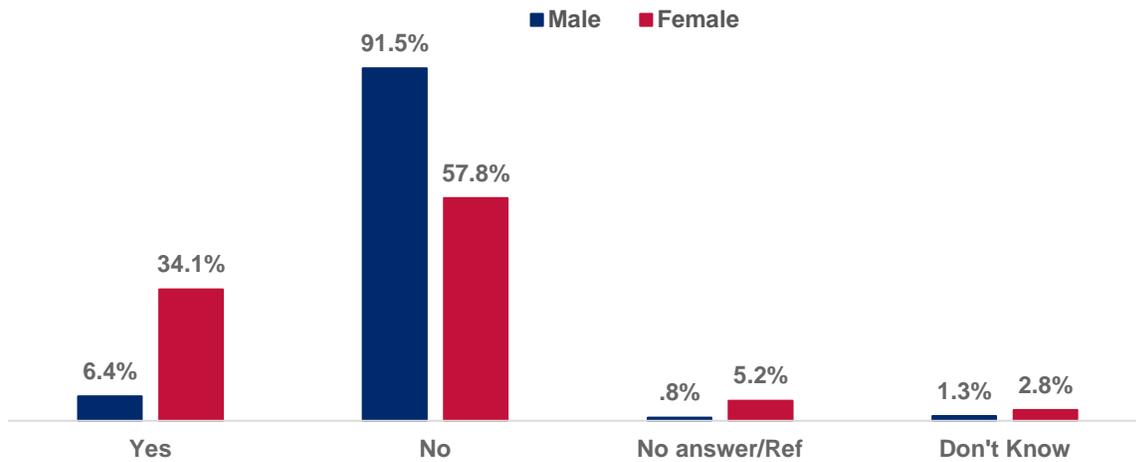
There were also large differences by region. Only 3.8% in Mitrovica, 12.5% in Gjilan, 13.6% in Peja, 14.3% in Prizren, and 16% in Pristina regions had renounced, compared to 45.5% in Ferizaj and 40% in Gjakova.

Ethnic differences were also seen. Only 8.7% of Serbs had renounced compared to 19.2% of Albanians and 31.8% of other minorities.

Finally, 31.6% of those over 65 had renounced compared to about 20% of all other age groups.

⁷ Law on Inheritance in Kosovo (Law No. 2004/26)

Figure 46. Did you renounce from your property/inheritance rights? - Disaggregated by gender

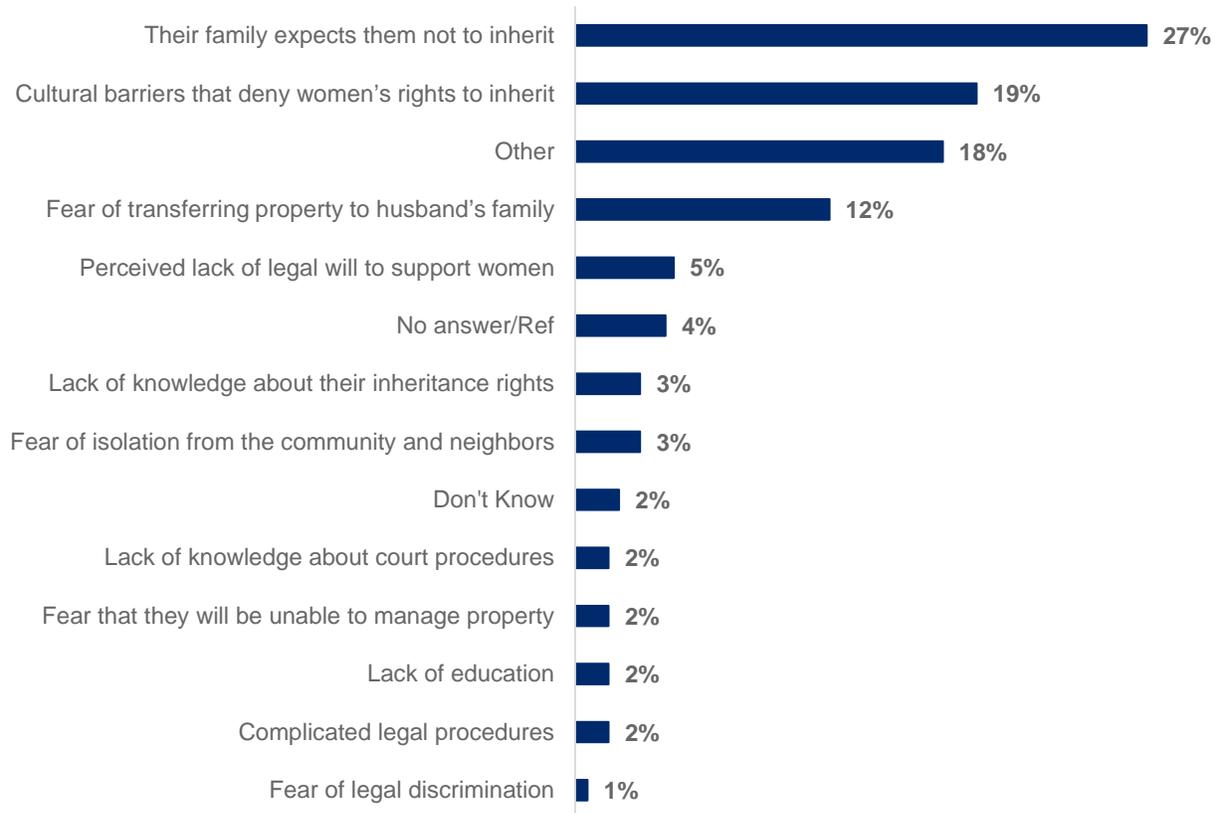


When asked about the reasons why they renounced their property/inheritance rights, the most common answers were "cultural barriers that deny women's rights to inherit" (19%) and "fear of transferring property to husband's family" (12%). It should be noted that 18% stated that there were "Other" reasons why they renounced their property/inheritance rights. Among the responses given within the "Other" category were:

- I don't want any property from my parents
- I want to create wealth with my family/ with my husband's family
- Personal wish
- There is potential to generate hostility in the family

Of the given reasons why the respondents have renounced their property/inheritance rights, 24.7% of them said that "their family expects them not to inherit" and 14.3% answered with "Fear of transferring property to husband's family". The "Fear of transferring property to husband's family" was a bigger concern in Mitrovica (50%) than in Prizren (37.5%) or Pristina (20.8%) and was of virtually no concern in other regions. Note that absolute numbers interviewed for this question were very small when disaggregated by region.

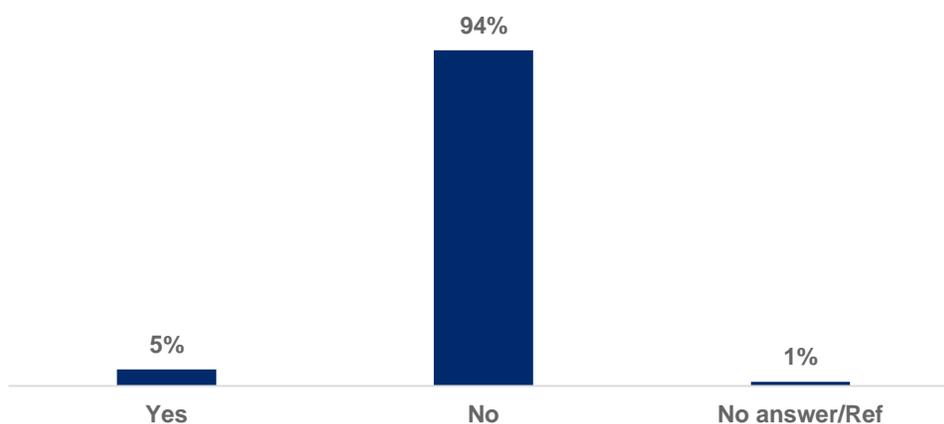
Figure 47. Why did you renounce your property/inheritance rights?



3.3 SATISFACTION WITH COURT SERVICES ON RESOLVING PROPERTY DISPUTES

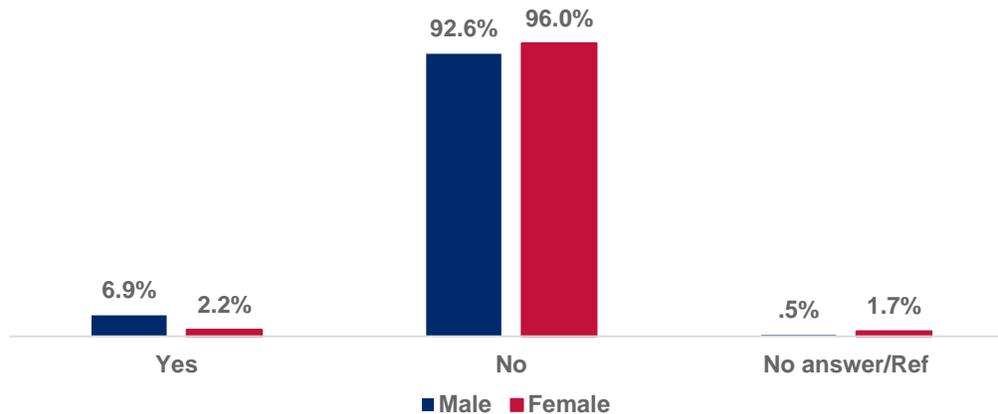
Only 5% of respondents said they had had a property related case filed in court.

Figure 48. Have you ever had a property related case filed in court?



Out of a total of 57 respondents who had a property-related case, 43 of them were males (6.9% of all male respondents) and only 14 were females (2.2% of all female respondents). In Pristina region, 9.1% of respondents had a case and in Gjilan region 8.1% had a case, higher than the average of 4.6%. Because of these small numbers, percentages become less significant as they are disaggregated by age, ethnicity, gender, or region.

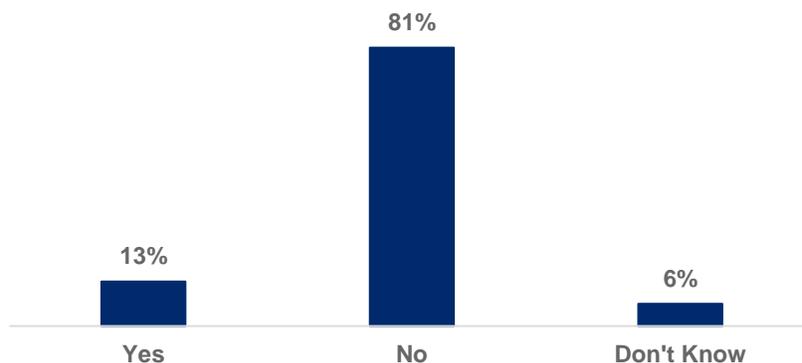
Figure 49. Have you ever had a property related case filed in court? - Disaggregated by gender



Of those who had a property-related case, 26% had a case filed in courts before 1999. Cases before 1999 were related to "contested procedures on base of transaction contract for attestation of right to property (plaintiff/defendant)" (32%), "family inheritance, litigation regular procedure" (26%), "recovery of property right, legal action beyond immediate family" (14%), "family inheritance, contested procedure via court agreement" (13%) or "family inheritance, legal action dispute (plaintiff/defendant)" (8%).

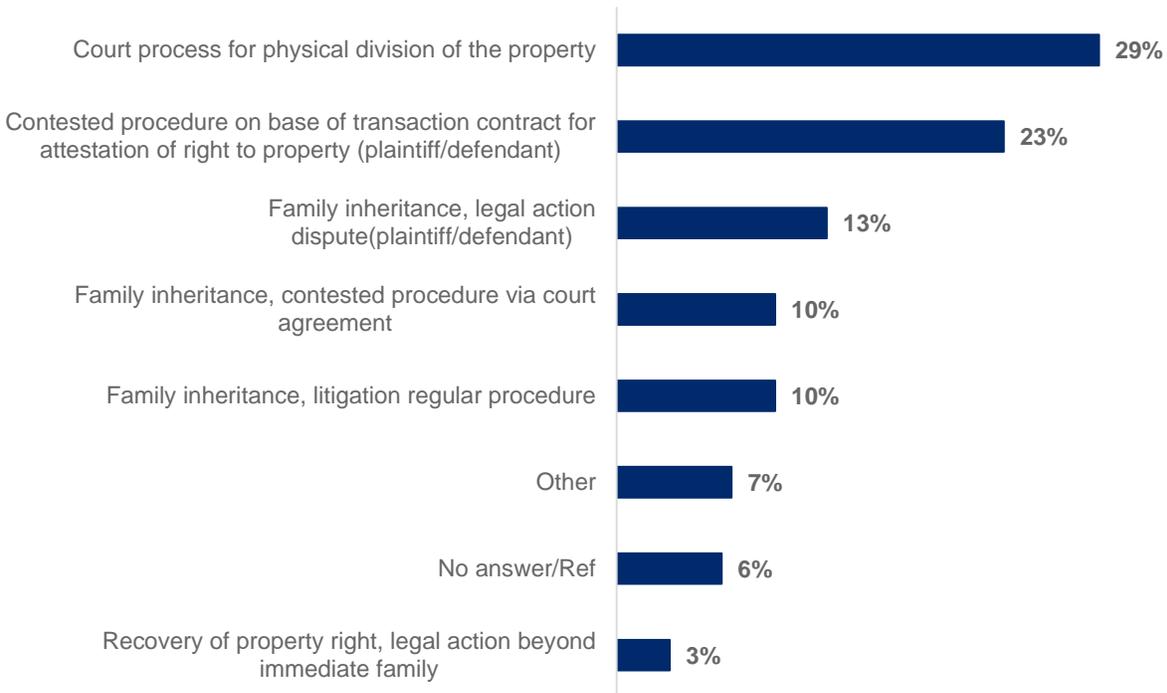
The majority were not satisfied with the time the court case took to process. Dissatisfaction is noticeable, as only 13% of respondents claimed they were satisfied with processing time, whereas 81% of respondents were dissatisfied.

Figure 50. Are you satisfied with the time of court case processing? (n = 21)



Out of a total of 57 respondents who had a property-related case, 61% of respondents filed a case in court after 1999. Of those, the most common types of court cases that respondents were involved in were "court processes for physical division of the property" (29%) and "contested procedures on base of transaction contract for attestation of right to property (plaintiff/defendant)" (23%). Less frequent were cases of "family inheritance, legal action dispute (plaintiff/defendant)" (13%), "family inheritance, contested procedure via court agreement" (10%), and "family inheritance, litigation regular procedure" (10%). There was only one case of "recovery of property right, legal action beyond immediate family."

Figure 51. What was the type of court case you were involved? (n = 57)



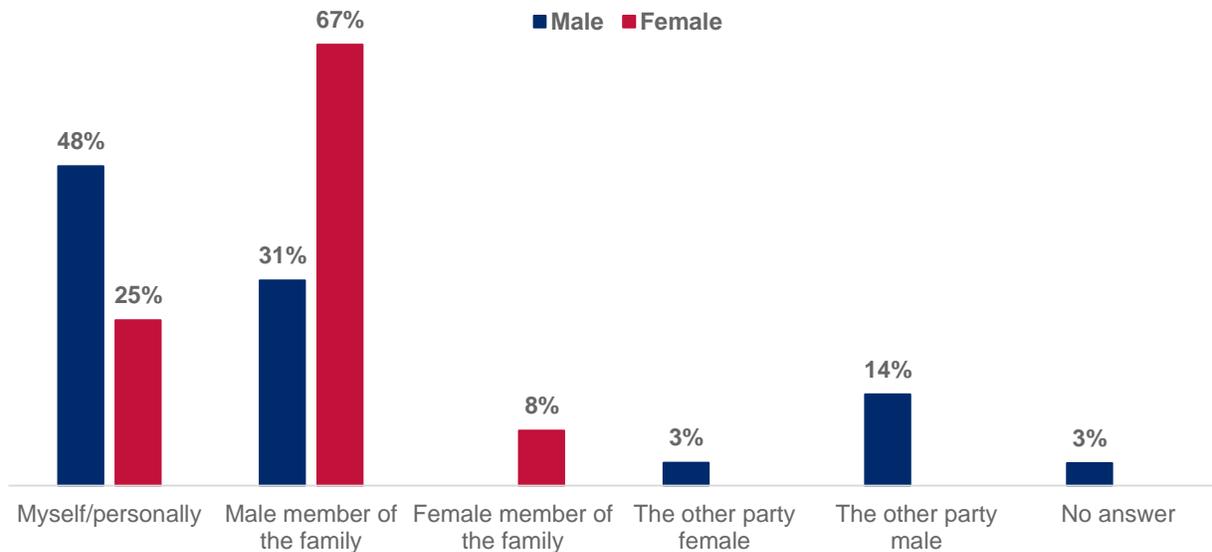
For women, however, it was much more likely to be involved in an inheritance case. Keeping in mind that this is an extremely small sample of women, 67% were involved in an uncontested inheritance case.

Figure 52. Types of inheritance cases



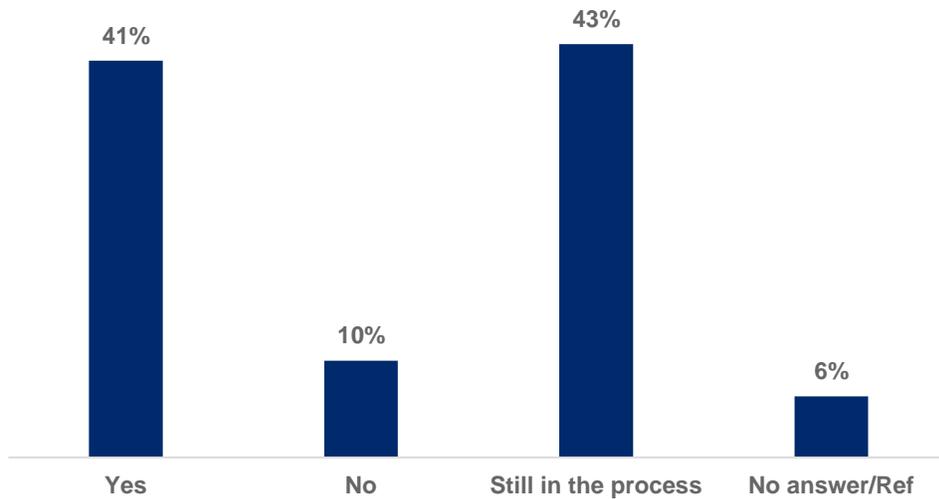
When asked about the initiator of legal action in court, 48% of male respondents said that they personally initiated the legal action, compared to 25% of female respondents who stated the same. The majority of female respondents (67%) said that a male member of their family was the one that initiated legal action in court.

Figure 53. Who initiated the legal action in court? - Disaggregated by gender (n = 57)



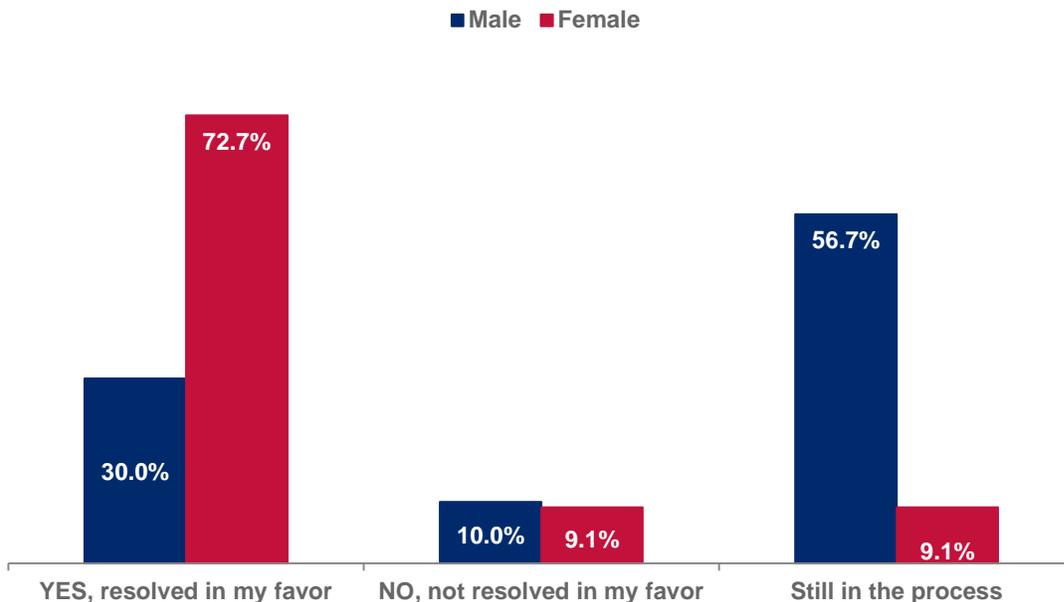
Of the total respondents, 41% of cases were resolved in respondents' favor, and another 43% are still in the process. Only 10% of cases were resolved against respondents.

Figure 54. Was it resolved in your favor? (n = 43)



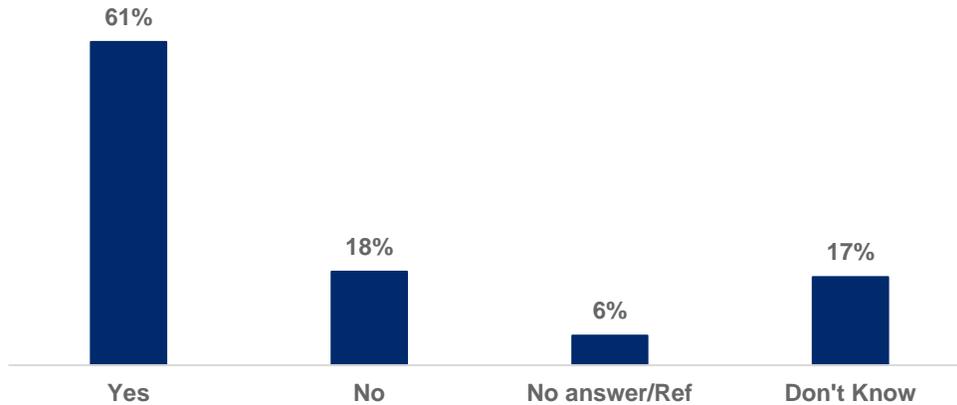
While 73% of female respondents stated that the case they were involved in was resolved in their favor, only 30% of male respondents claimed the same. Again, note that the number of respondents here is very small. Additionally, 57% of cases involving male respondents are still in the process.

Figure 55. Was it resolved in your favor? – Disaggregated by gender (n = 43)



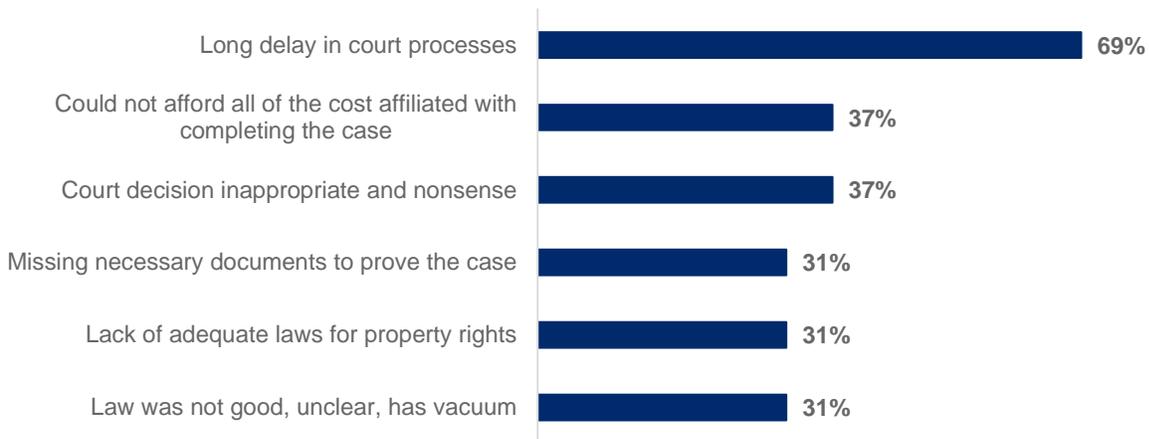
Of the total respondents, 61% stated that they were satisfied with the court decision, whereas 18% said they were not.

Figure 56. Were you satisfied with the court decision? (n = 25)



When asked what they did not like about the court process, the majority of respondents said that they did not like “long delay in court processes” (69%). Another 37% stated that they “could not afford all of the cost affiliated with completing the case,” and the same percentage said that the “court decision was inappropriate and nonsense.”

Figure 57. What did you not like about the process? (n = 10)



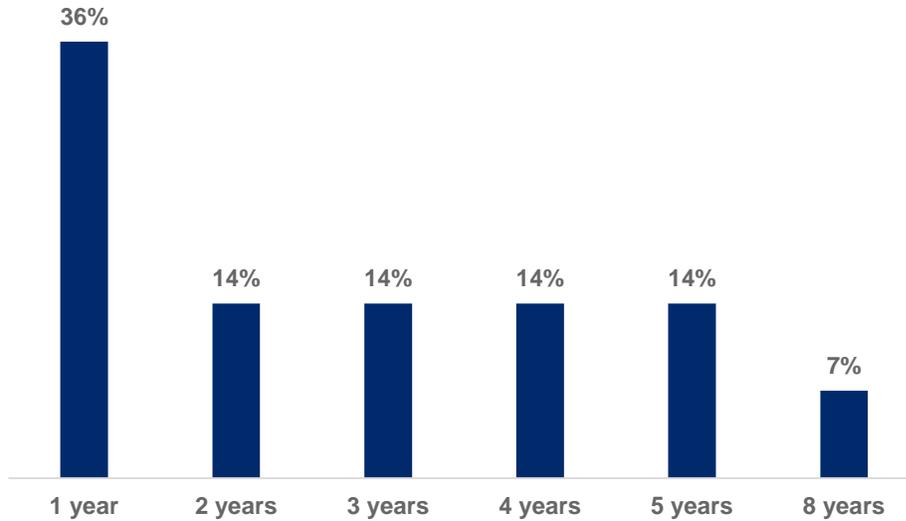
For 36% of respondents the case they were involved in lasted for approximately a year, while the longest time it took for a case to be resolved was eight years (7%).

FOCUS GROUP DISCUSSION WITH COURT USERS

“Court procedures take too long and people that work in these courts are often unprofessional. I think that courts do not function correctly because it takes too long for a case to be solved.”

MALE PARTICIPANT

Figure 58. Can you please tell us how long the case lasted?



When asked to rate their satisfaction with several court services on a scale from 1 (very dissatisfied) to 5 (very satisfied), respondents showed greatest level of satisfaction with “guidance provided by court staff” (3.78/5) and “treatment by judge” (3.75/5). Meanwhile, they showed lowest level of satisfaction with timing (2.92/5) and “cost of court procedures” (3.04/5).

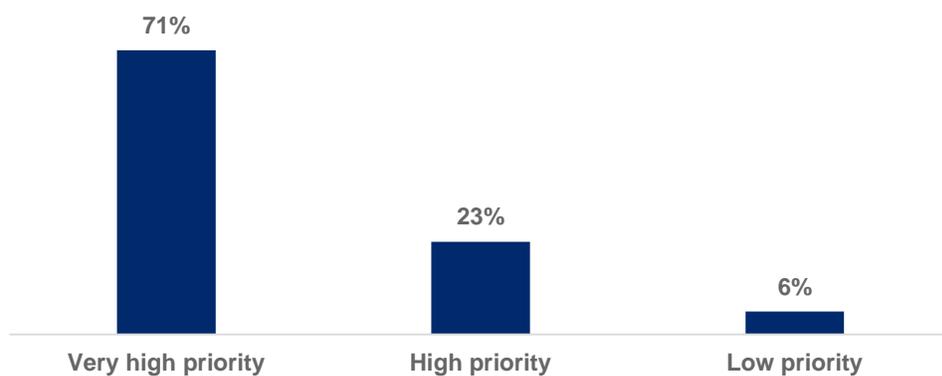
Figure 59. Can you please rate your satisfaction with the following court services? (1 = very dissatisfied, 5 = very satisfied)



In general, focus group participants showed average levels of satisfaction with the services they received from the court during the cases they were involved in. However, court users participating in focus group sessions tended to be of the opinion that inheritance cases take too much time.

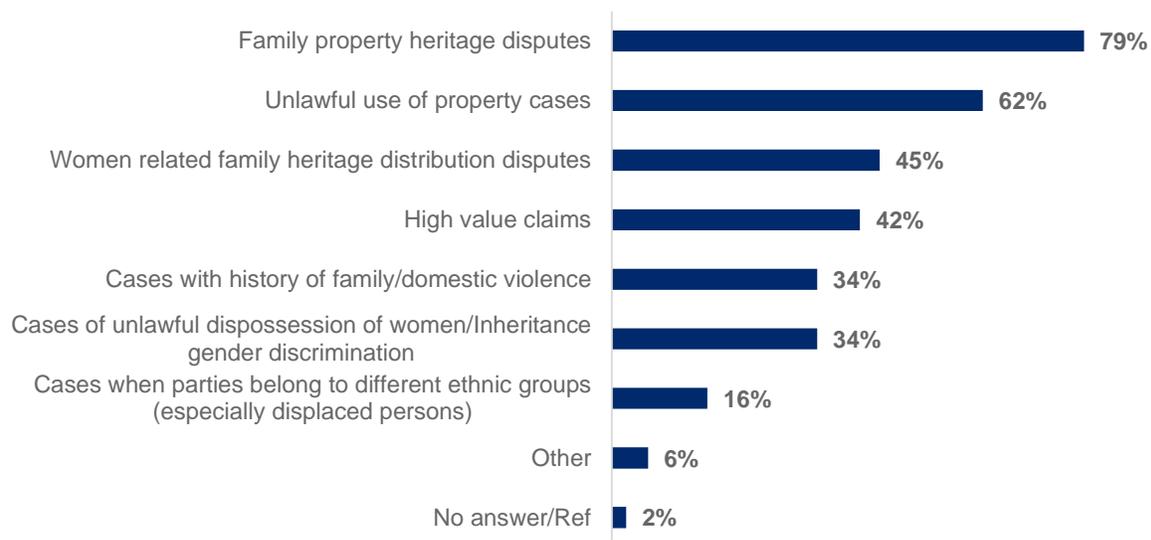
According to the majority of survey respondents, property rights cases should be given "very high priority" (71%) in the justice system. Additionally, another 23% claimed they should be given "high priority," whereas only 6% were of the opinion that they should be given "low priority."

Figure 60. According to you, should property rights cases be placed in a high priority by the justice system? (n = 57)



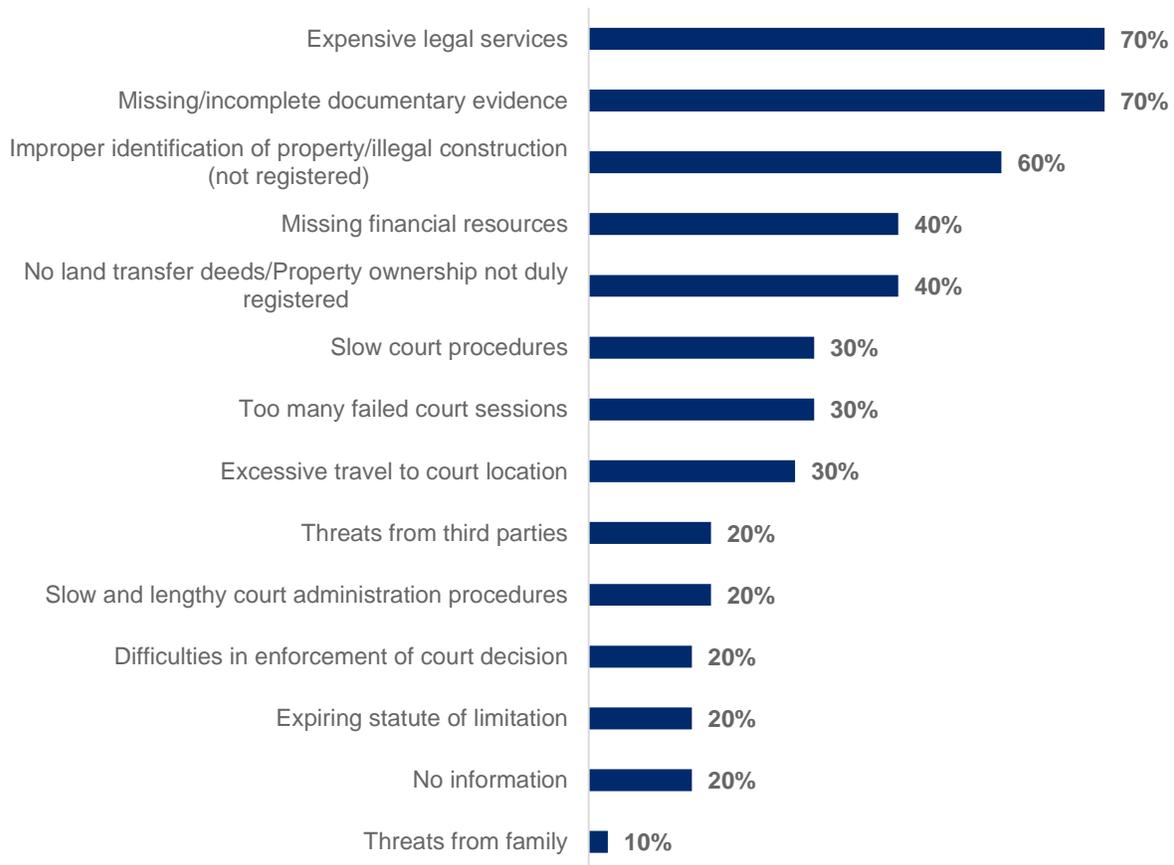
When asked which cases deserved priority, respondents' top two answers were "family property heritage disputes" (79%) and "unlawful use of property cases" (62%). Cases with "women related family heritage distribution disputes" (45%) and "high value claims" (42%) are also among the top priorities. "Cases when parties belong to different ethnic groups (especially displaced persons)" were least identified as deserving of priority treatment.

Figure 61. Which particular types of property cases deserve priority treatment? (n =57)



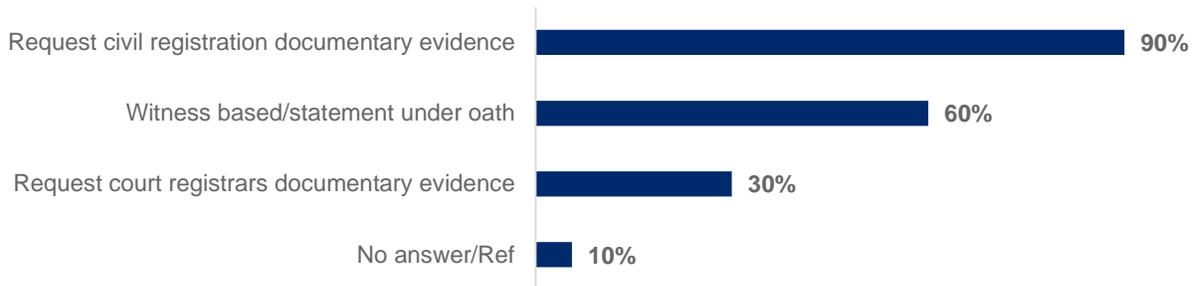
Respondents who had had inheritance cases were asked about the main difficulties with handling the case. The three most common difficulties were "expensive legal services" (70%), "missing/incomplete documentary evidence" (70%), and "improper identification of property/illegal construction (not registered)" (56%).

Figure 62. What were the three main difficulties that you experienced in handling the inheritance case? (n = 10)



Of the total respondents, 44% said that the court did take steps to verify that all family members and potential inheritors have been identified, whereas 28% of respondents claimed that the court did not do the verification. In terms of steps taken for the verification, the majority of respondents stated that the court "requested civil registration documentary evidence (94.2%)."

Figure 63. What steps did the court take? (n = 10)

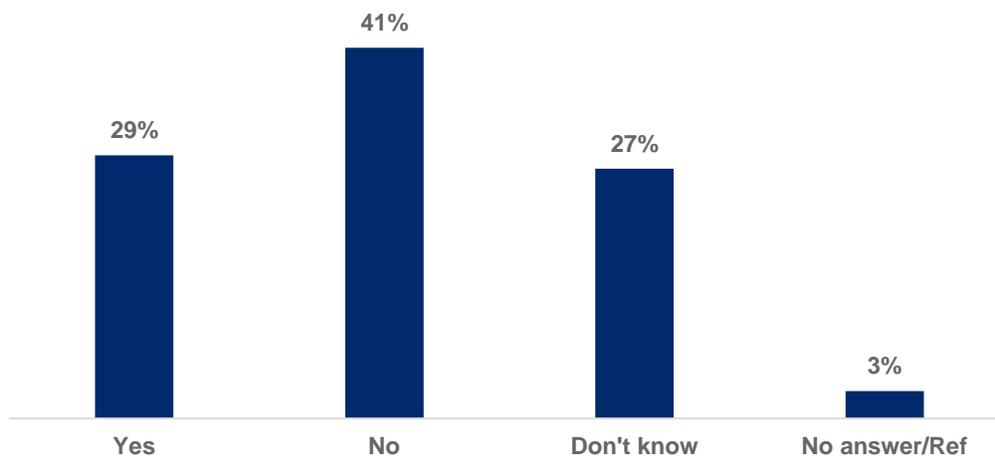


Focus group participants who had previous experience with property-related cases were asked to provide their recommendations on how court services can be improved. These included increasing the number of judges dealing with property-related cases, eliminating bureaucratic procedures, and giving assistance to women with court procedures and exemption from administrative fees.

With regard to minority ethnic groups having particular difficulties in accessing the courts, survey respondents expressed concern. As 41% of respondents stated that "no" difficulties are present in such cases, 29% believed that minorities have difficulties in accessing the courts. Meanwhile, 27% of respondents said that they do not have information regarding this topic.

When disaggregated by ethnicity, 29.4% of Albanians believe minorities have difficulties, while 20% of Serbs and 0% of other minorities believe minority ethnic groups have difficulty accessing courts. Again, only 59 respondents answered this question, of which 51 were Albanian, 5 were Serbian, and 3 were other minorities.

Figure 64. From your viewpoint, do minority ethnic groups have any particular difficulties in accessing the courts? (n = 57)



Those who stated that minority ethnic groups have difficulties in accessing the courts were further asked about steps courts can take to mitigate these difficulties. According to most of respondents, courts should “provide language assistance” (72%), “provide basic legal education/information material in their language” (59%), or “provide minority officers/minority employees” (47%). Fewer respondents were of

the opinion that courts should locate court branches in minorities' locations and provide legal assistance in their language. Disaggregating between Albanians and minorities did not show any significant differences.

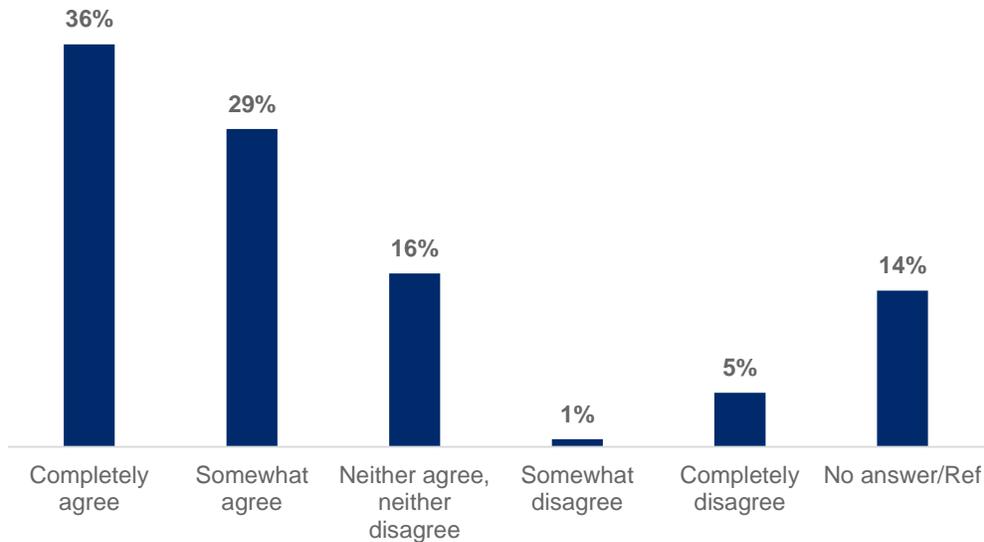
Figure 65. What can the courts do to mitigate these difficulties? (n = 21)



There is a general consensus that courts in Kosovo treat minorities fairly and equally, and provide impartial, just, and fair judgments. A total of 36% of respondents "completely agreed" with this statement, 29% "somewhat agreed," compared to only 1% of respondents that "completely disagreed."

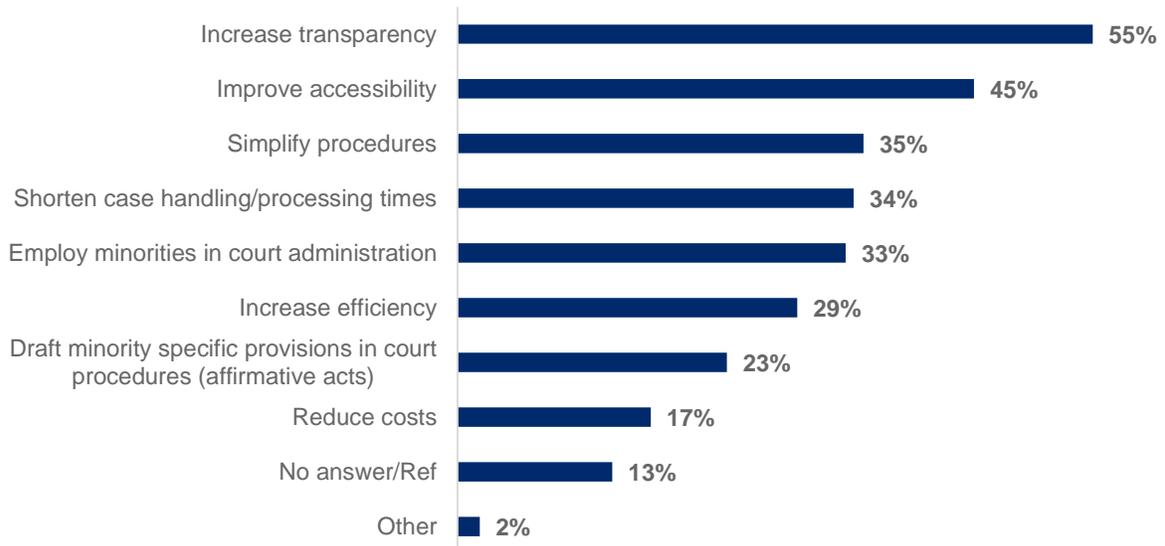
However, when disaggregated by ethnicity there is a somewhat different picture. While 37.3% of Albanians completely agreed and 29.4% of Albanians "somewhat agreed," no Serbs or other minorities fell into these categories. Of the Serb respondents, 80% either completely or somewhat disagreed, while 33% of other minorities completely disagreed. 66% of other minorities did not answer the question, so note that these numbers have a high margin of error.

Figure 66. Do you agree that the courts in Kosovo treat minorities fairly and equally and provide impartial, just, and fair judgments? (n = 57)



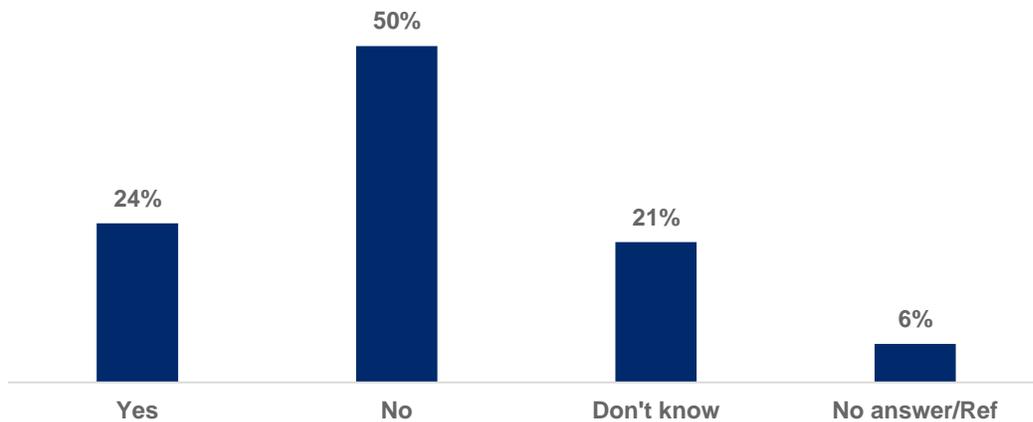
In order to increase the confidence of the minority communities in the court system, respondents believe that courts should mainly "increase transparency" (55%), "improve accessibility" (45%), and "simplify procedures" (35%). On the other hand, "drafting minority specific provisions in court procedures (affirmative acts)" (23%) and "reducing costs" (17%) were identified by fewer respondents. There were no major differences here among ethnicities.

Figure 67. What can the courts do to increase the confidence of the minority communities in the court system? (n = 57)



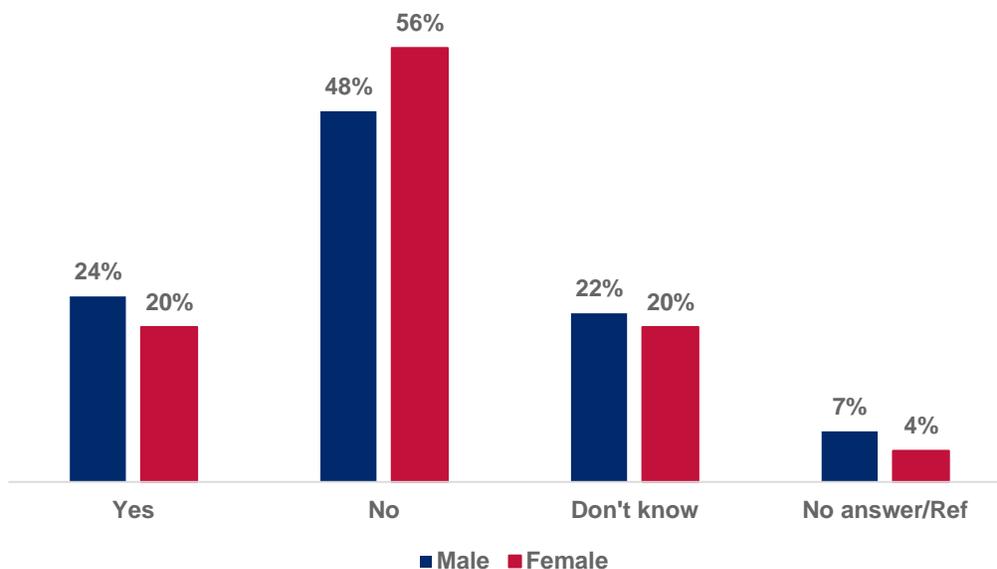
Respondents were also asked questions about women’s challenges in accessing courts. According to most respondents, women do not have particular difficulties in accessing the courts. Half of respondents claimed there are no difficulties for women in this regard (50%), 24% said there were difficulties, and 21% did not know or refused to answer the question.

Figure 68. From your viewpoint, do women have any particular difficulties in accessing the courts? (n = 57)



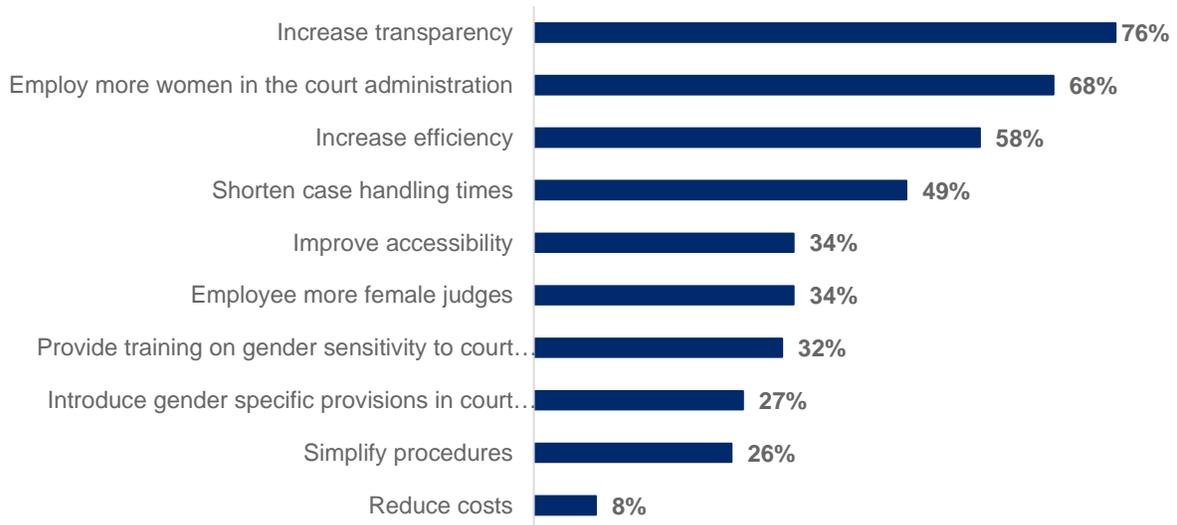
There were no major differences here when disaggregated by gender.

Figure 69. From your viewpoint, do women have any particular difficulties in accessing the courts? - Disaggregated by gender (n = 57)



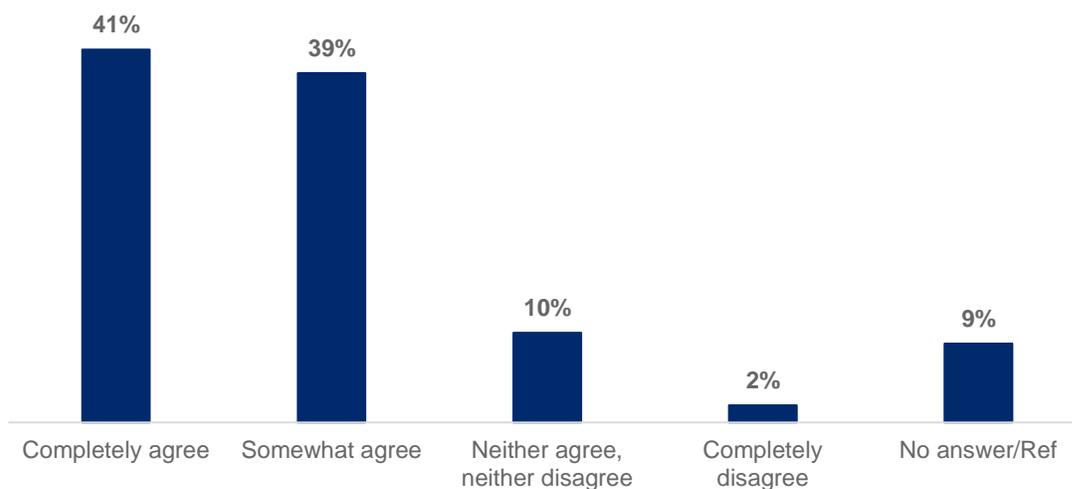
The top three answers when asked how courts can mitigate difficulties women face in accessing them were increased transparency (76%), employing more women in the court administration (68%), and increased efficiency (58%). Again, there were no significant differences when disaggregated by gender. Note that only respondents who answered that women faced difficulties were asked this question, so the number of respondents is very low.

Figure 70. What can the courts do to mitigate these difficulties? (n = 17)



There was general agreement with regard to courts in Kosovo treating women fairly, equally and providing impartial, just, and fair judgments. Of the total respondents 41% "completely agreed" with the statement, 39% "somewhat agreed," and only 2% "completely disagreed."

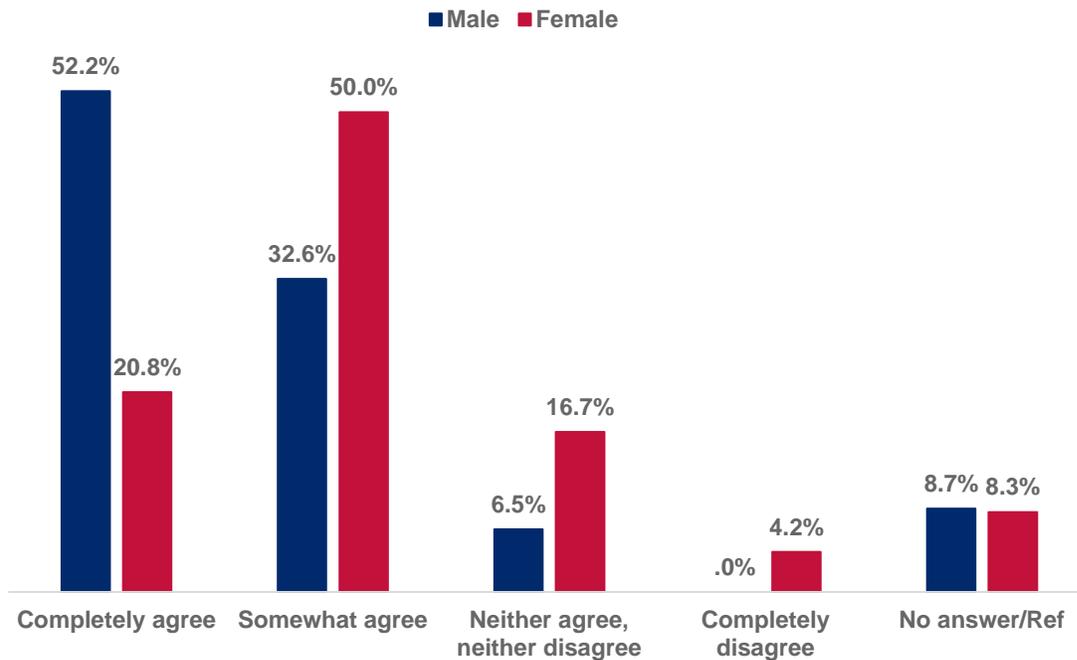
Figure 71. Do you agree that the courts in Kosovo treat women fairly and equally and provide impartial, just, and fair judgments? (n = 57)



However, while the majority of male respondents "completely agreed" with the statement that "courts in Kosovo treat women fairly and equally and provide impartial, just and fair judgment" (52%), the majority

of female respondents only “somewhat agreed” with the same statement (50%). Only 20% of women “completely agreed.”

Figure 72. Do you agree that the courts in Kosovo treat women fairly and equally and provide impartial, just, and fair judgments? - Disaggregated by gender (n = 57)



Female court users participating in focus group discussions complained about their experiences in court. Several of them said that not only are cases handled very slowly, but there is also no adequate assistance and support from the court.

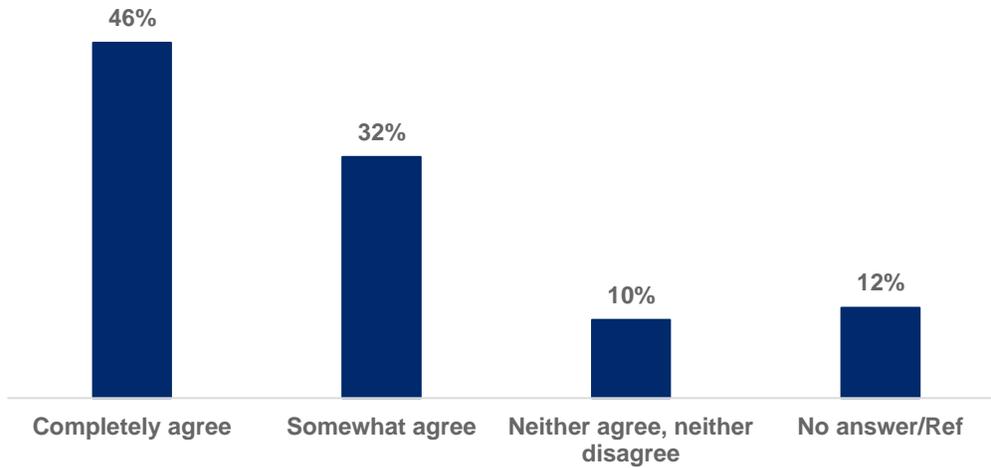
The majority of survey respondents believed that notaries in Kosovo treat women fairly and equally, and provide impartial, just, and fair services. Of the total respondents, 46% "completely agreed" with the statement, and 32% "somewhat agreed." Again, a larger number of women “somewhat agreed” (40%) with the statement, in comparison to male respondents where the majority “completely agreed” with the same statement (54%).

FOCUS GROUP DISCUSSION WITH COURT USERS

“I had many troubles during the case. I have initiated the case in court myself, but the court did not treat me well at all and did not provide the necessary assistance. I had to go and figure it all out by myself.

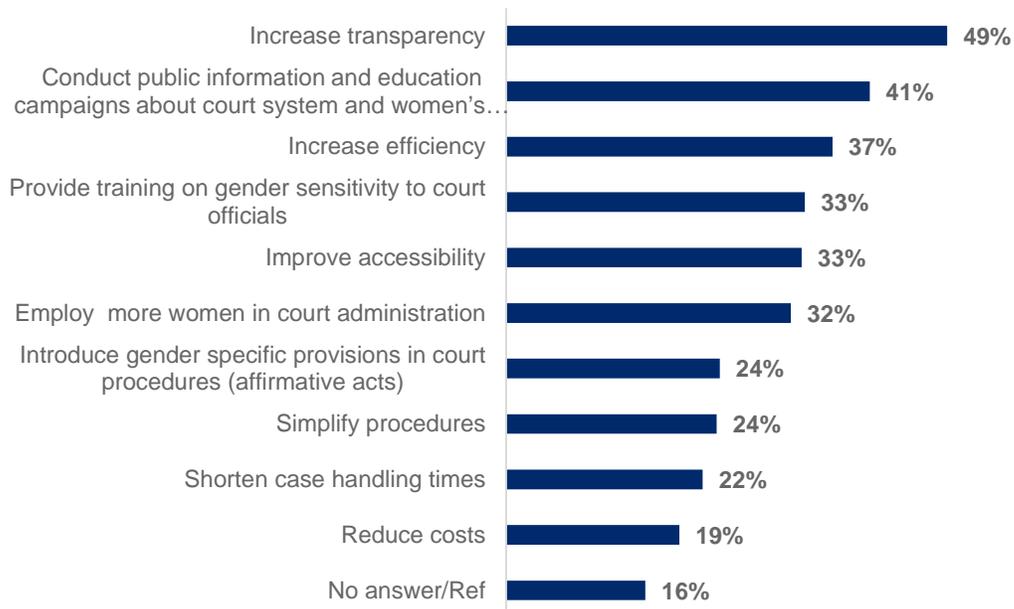
FEMALE PARTICIPANT

Figure 73. Do you agree that notaries in Kosovo treat women fairly and equally and provide impartial, just, and fair services? (n = 57)



According to respondents, courts can do a variety of activities in order to increase the confidence of women in the court system. The most common answers were that courts ought to "increase transparency" (49%), "conduct public information and education campaigns about court system and women's rights" (41%), and "increase efficiency" (37%) in order to increase confidence of women. Disaggregated by gender, the results show that a higher number of female respondents believe that courts should conduct public information and education campaigns, and should also provide training on gender sensitivity to court (65% and 54% of women versus 27% and 22% of men).

Figure 74. What can the courts do to increase the confidence of the women in the court system? (n = 57)



Court users participating in focus group discussions believe that people in general, and women in particular, should have more access to information regarding their inheritance rights. Among the proposed ways to inform people in regard to their rights on inheritance were:

- ⇒ TV debates and informative advertisements (Ferizaj: Romas Ashkalis and Egyptians; Gjilan, Peja, Pristina: Albanians; Serbians – South Kosovo)
- ⇒ Awareness campaigns for both adults and children (Ferizaj, Gjilan, Pristina: Albanians & Romas Ashkalis and Egyptians Serbians -North Kosovo)
- ⇒ Brochures (Ferizaj, Gjilan: Albanians, Romas, Ashkalis and Egyptians)
- ⇒ Internet campaigns (Gjilan, Pristina: Albanians; Serbians – South Kosovo)

4.0 CONCLUSION

While the majority of adult citizens of Kosovo believe they own immovable property, the number of registered owners is much lower. Furthermore, only around 19% of all female respondents had property registered in their name, compared to 79% of male respondents. In the 74% of cases when families had only one registered member as a property owner, 90% of the time that member was male.

Very few people had actually registered property, as compared to considering themselves to be owners. This was especially true for inherited land, and may mean that work must be done to educate people about why it is important to register inherited land.

Less than half of interviewed respondents said that they knew what basic documents are needed to request an inheritance. Two in three women said they were not familiar with these documents, and women were much less likely than men to know it is possible to initiate an inheritance proceeding through a notary. Serb citizens were the least likely to believe they know which basic documents are needed to make a real estate transactions.

The vast majority of respondents believed that women and men should have equal rights to own land. However, when asked to recall cases where a daughter inherited property in their circle of acquaintances, more than half of respondents could not recall a single case. According to around half of respondents, women in Kosovo do not demand their rights to inherit, and the vast majority of respondents believe that women renounce or withdraw their property/inheritance rights. Concretely, the percentage of female respondents (34%) who had gone through an inheritance proceeding and renounced their property/inheritance rights was considerably higher than the percentage of male respondents who had gone through a proceeding and stated the same (6%). Cultural barriers that deny women's rights to inherit and fear of transferring property to husband's family were the main reasons why women renounced their property/inheritance rights.

The majority of female respondents who were involved in a property-related case said that a male member of their family was the one that initiated legal action in court, compared to the majority of male respondents said that they personally initiated the legal action. Despite considerable satisfaction with court services, respondents complained about expensive legal services, missing/incomplete documentary evidence, and improper identification of property/illegal construction when dealing with inheritance cases.

There are several areas that might inform a communication campaign. In general, people did not know about notaries as an option for an inheritance proceeding. This was especially true for women, for Serbs, and for young and old respondents.

Young people (18-24) were the least knowledgeable group. They were most likely to identify their fathers as in charge of decisions, contributors to wealth, in charge of property, and as initiators of inheritance proceedings. They were also less likely to know which documents were needed for an inheritance proceeding. All respondents identified “brothers” as least likely to be supportive of women’s inheritance. It therefore may make sense to target young people, especially young men, to sensitize and educate them about women’s property rights, especially inheritance.

Similarly, women were less likely than men to have knowledge about inheritance proceedings and other types of property transactions. They must therefore be targeted separately from, and perhaps more intensively than, men. Serbs were less likely to have knowledge than Albanians or other minorities and

should perhaps be similarly targeted, especially because they were least likely to believe women should inherit from their birth families and least likely to know of a case where a daughter inherited.

All female respondents, as well as Serbian male and female participants, were also less likely than other groups to identify fathers as providers of income and more likely to identify mothers. This perception might influence a communications campaign.

There were also many regional differences that might warrant follow-up and different types of communication campaigns. Specifically, Ferizaj region was more likely to have people identify fathers and mothers as supportive of property rights and to have people agree that inheritance should be equal for sons and daughters. Conversely, people were much less likely to have knowledge about inheritance and real estate transactions, had the lowest percentage of people who identified inherited property as theirs, and women were more likely to say they had renounced their inheritance rights. This may warrant follow-up investigation to determine why attitudes are more progressive, and perhaps a different type of education campaign.

In Peja many more respondents than average knew of cases where daughters had inherited. People were also more likely to have a female household member who had registered property, and to identify the mother as a main contributor to household wealth. However, people were least likely to agree that inheritance between sons and daughters should be equal, that women should inherit, or that household decisions were made jointly between the husband and wife. Lack of knowledge was one highly identified barrier in these regions. Follow-up to determine whether and why women inherit more in Peja (and in Gjakova, which has similar results) despite professed attitudes could influence other types of programming.

In Mitrovica region, there was much less agreement that women renounce than in other regions. This could warrant follow-up research to determine why.

More research on the urban/rural divide may be warranted as well. Pristina and Peja had higher ownership of property created during marriage, while people in Prizren were less likely to own property in general.

Finally, Pristina residents were most knowledgeable about which property should belong to both partners. Outside of Pristina, the majority agreed that property created during marriage should belong to both, but fewer agreed that other types of property should. This indicates that a communication campaign should focus outside of Pristina and focus on different categories of property; it is especially important that the differences in perception of different types of property be understood and addressed.

U.S. Agency for International Development

1300 Pennsylvania Avenue, NW

Washington, DC 20523

Tel: (202) 712-0000

Fax: (202) 216-3524

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