

AGREED CONCLUSIONS 2 SEPTEMBER 2011

Cadastral Records

1. In order to protect the rights of people with legitimate claims to property, the parties will jointly make every effort to establish a fully reliable cadaster in Kosovo;
2. A tripartite implementation group, consisting of cadastral experts from the two parties and chaired by the EU will monitor the work of a technical agency, (selected by the EU after consultation with both parties), whose role will be to identify gaps in original pre-1999 cadastral records;
3. The EUSR will receive scanned copies of all original pre-1999 cadastral records removed from Kosovo. Upon request, the EUSR will provide specific information from Kosovo;
4. The technical agency, mentioned in bullet 2, will compare all copies of the original pre-1999 private property cadastral records¹ with the reconstructed Kosovo cadaster. Cases where the comparison shows the records not to be the same will be transferred by the tripartite implementation group to an adjudication mechanism in Kosovo. This adjudication mechanism will make a final determination as to which cadastral record is correct;
5. The first instance in the adjudication mechanism will be undertaken by a Commission consisting of international and cadastral and property experts from Kosovo. The majority of the experts will be appointed by the EUSR, taking into account the interests of all communities concerned;
6. The Kosovo Supreme Court will act as the second, appeal, instance of this adjudication mechanism. Decisions by the Kosovo Supreme Court will be taken by a panel in which international judges will hold the majority and will be final and enforceable and not subject to challenge;
7. Decisions resulting from above adjudication mechanism will be notified to all stakeholders concerned. The Kosovo Cadastre Agency will implement the final decisions resulting from above adjudication mechanism by effecting the necessary changes in the Kosovo cadastre;
8. The tripartite implementation group will monitor the quick implementation and functioning of the above arrangements and will regularly brief the Dialogue on progress;

¹ This will include private property, private commercial property and private church property cadastral records.