



Association of Kosovo Municipalities
Collegia for Spatial Planning

ASSESSMENT OF CHALLENGES OF THE DEPARTMENTS OF URBANISM IN MUNICIPALITIES OF KOSOVO

January 2020



INCLUSIVE DEVELOPMENT PROGRAMME
PROGRAMI PËR ZHVILLIM GJITHËPËRFSHIRËS
PROGRAM SVEOBUHVAATNOG RAZVOJA

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CONTENTS

List of acronyms	6
List of tables	6
List of figures	6
Introduction	9
Assessment methodology	9
Outcome	10
Identified problems, categories, sectors	10
Sectors of the Department of Urbanim	11
Construction Permits	11
Spatial Planning	12
Environmental Protection	12
Treating buildings without construction permit in local level -	13
Legalisation	14
Social Housing	14
Other	14
Municipal Departments	14
Department of Geodesy and Cadastre	14
Department of Agriculture	14
Department of Public Services and Municipal Affairs	15
Department of Property	16
Department of Economic Development	16
Department of Health	16
Department of Culture, Youth and Sport	16
Department of Budget and Finance	16
Other	17
Informal Settlements (IFS)	17
Public Companies	17
Water Supply and Sanitation	17
Kosovo Energy Distribution Services (KEDS)	17
Post and Telecommunication of Kosovo (PTK)	18
Waste collection companies	18
Regional Public Agencies and Companies	18
Privatization Agency of Kosovo (PAK)	18
Regional Company 'Bifurkacioni'	18
Post and Telecommunication of Kosovo (PTK) at regional level	18
Other	18
Central Level	19
Ministry of Infrastructure and Environment (MIE) (*former	19
Ministry of Environment and Spatial Planning)	
Ministry of Infrastructure and Environment (MIE)	19
(*former Ministry of Infrastructure and Transport)	
Ministry of Agriculture, Forestry and Rural Development	19
(MAFRD)	
Ministry of Local Governance Administration (MLGA)	19
Private companies	19
CONCLUSIONS	20
ANNEX	22

LIST OF ACRONYMS

AKM – Association of Kosovo Municipalities
CBM - Community Building Mitrovica
ZMK – Zoning Map of Kosovo
CDSP – Collegia of Directors for Spatial Planning
KEDS – Kosovo Energy Distribution Services Company
MESP - Ministry of Environment and Spatial Planning
MIE - Ministry of Infrastructure and Environment
MIT - Ministry of Infrastructure and Transport
MLGA - Ministry of Local Government Administration
MAFRD - Ministry of Agriculture, Forestry and Rural Development
UN-Habitat - United Nation Human Settlement Programme
PAX – Partnership between IKV (Interchurch Peace Council) and Pax Christi
DRP – Detailed Regulatory Plan
URP - Urban Regulatory Plan
MDP – Municipal Development Plan
MZM – Municipal Zoning Map
LEAP – Local Environmental Action Plan
PTK - Post and Telecommunication of Kosovo
PAK - Privatisation Agency of Kosovo
SIDA - Swedish International Development Cooperation Agency
CIP - Capital Investment Projects

LIST OF TABLES

Table 1. Outcomes of the questionnaire

LIST OF FIGURES

Figure 1. Kosovo Municipalities
Figure 2. Municipalities that completed the questionnaire
Figure 3. Scheme of identified problems by categories

PART OF AKM

1	DEÇAN
2	DRAGASH
3	DRENAS
4	F.KOSOVË
5	FERIZAJ
6	GJAKOVË
7	GJILAN
8	GRAÇANIC
9	HANI ELEZIT
10	ISTOG
11	JUNIK
12	KAÇANIK
13	KAMENICË
14	KLINË
15	KLLOKOT
16	LIPJAN
17	MALISHEVË
18	MAMUSHË
19	MITROVICË J
20	NOVOBËRDË
21	OBILIQ
22	PARTESH
23	PEJË
24	PODUJEVË
25	PRISHTINË
26	PRIZREN
27	RAHOVEC
28	RANILLUG
29	SHTËRPCE
30	SHTIME
31	SKËNDERAJ
32	THERANDË
33	VITI
34	VUSHTRRI

NOT PART OF AKM

35	MITROVICË V
36	ZUBIN POTOK
37	LEPOSAVIC
38	ZVECAN

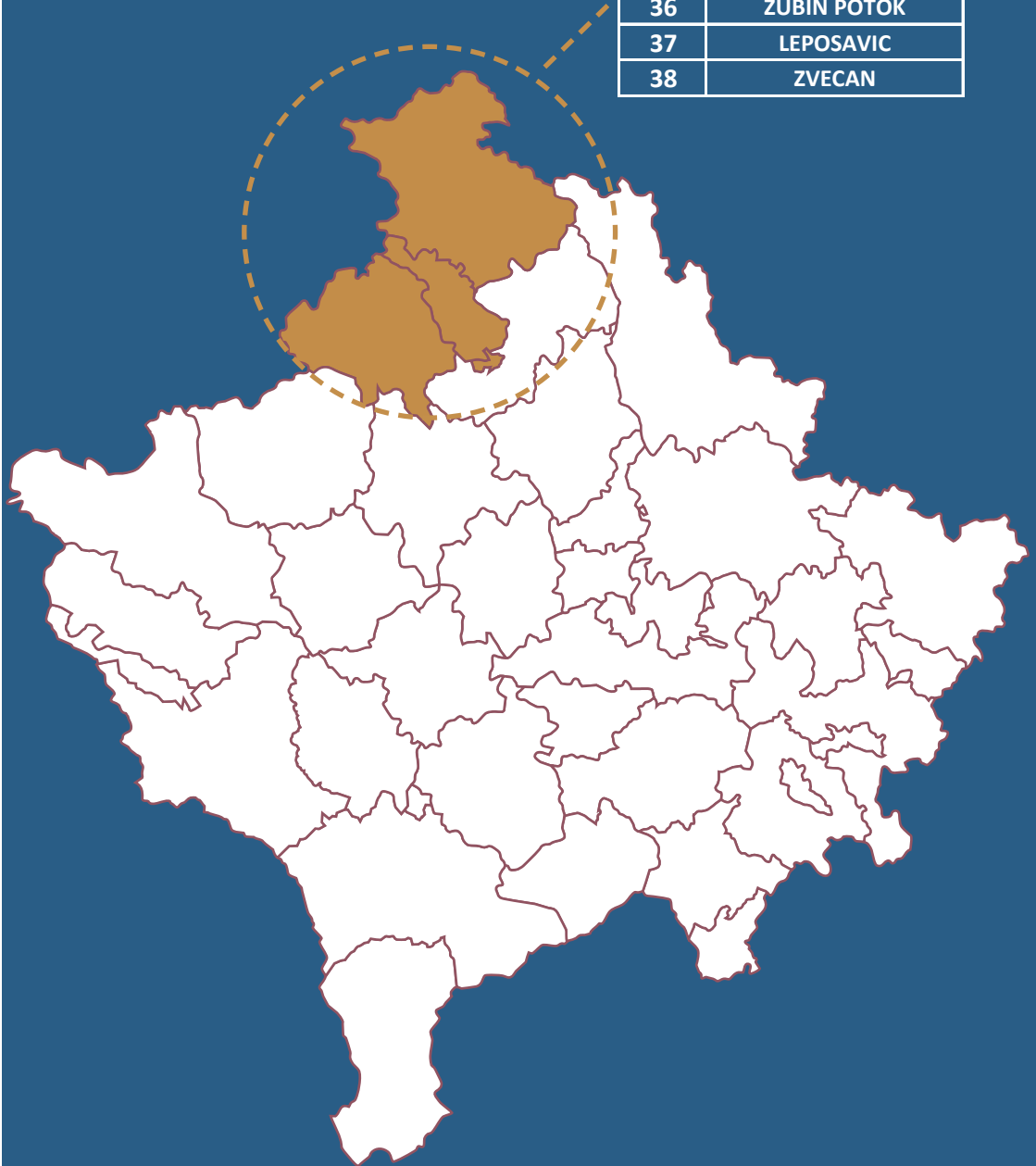


Figure 1. Kosovo Municipalities

INTRODUCTION

This document is a product of cooperation among members of Association of Kosovo Municipalities (AKM), respectively the Collegia of Directors for Spatial Planning (CDSP) through which a questionnaire for the assessment of challenges in Departments of Urbanism has been distributed.

Sustainable development remains one of the main yet most challenging goals in Kosovo municipalities. The strategies and policies designed and implemented to achieve sustainable development vary from municipality to municipality. Spatial planning is one of the many sectors that lead towards sustainable development therefore municipal leaders have to become more considerate and aware of the value this process holds. This process enables municipal authorities to understand the priorities, assess whether the budget is appropriately provisioned and spent, affects land distribution and development, while also impacts the well-being of residents. Key mechanisms in Kosovo's municipal spatial planning system are the Departments of Urbanism through which municipal leaders may provide changes for the benefit of the society. These changes are shaped into spatial documents as medium-term or long-term municipal strategies that help political and technical leadership departments to assess present advantages and risks.

Departments of Urbanism in Municipalities of Kosovo face many challenges in their daily work. These challenges have been expressed regularly at CDSP meetings. Depending on their internal capacities, some departments overcame these challenges while others have encountered various obstacles in doing so. Regular discussions during CDSP meetings helped develop interactive *City-to-City* dialogue with the aim of overcoming these challenges by sharing good practices.

AKM, respectively the Collegia for Spatial Planning - which is supported by the *Inclusive Development Programme (UN-Habitat, PAX and CBM)* and funded by *SIDA* - assessed all challenges raised by member municipalities and concluded that the nature of the enunciated problems is similar but the content varies. These concerns have also been expressed by the Ministry of Infrastructure and Environment (MIE) which confirmed that municipalities keep addressing the central level for clarifications on these similar problems where only the content might differ. The issue was also raised and discussed during one of the regular CDSP meetings, organized in June 2019. At this meeting, all members agreed that UN-Habitat should prepare an *assessment questionnaire* based on categorized challenges and common problems as sorted by the Collegia members.

The questionnaire was presented during the next CDSP meeting, in September 2019. The meeting also highlighted the importance of joint discussions, exchanging good practices between municipalities, raising problems that are similar in nature yet different contentwise; inter-institutional cooperation (central and local level); the role of private companies in the process of drafting spatial documents; as well as the presence of international programmes, as opportunities that may help overcome the challenges.

ASSESSMENT METHODOLOGY

The questionnaire was presented in September 2019, together with completion modalities. From the conclusions of CDSP meetings it was noted that some Departments of Urbanism are very active in meetings and regularly share the issues and problems they encounter while others interact less. As a result, by completing the *Questionnaire of Challenges of Departments of Urbanism* they were all given the opportunity to express their problems narratively. The main purpose of the questionnaire is solely to identify the daily work challenges faced by Departments of Urbanism in Kosovo municipalities, not make comparisons between them.

The publication of this research would not only enable further discussions in CDSP meetings but also promote the share of good practices and solution-oriented proposals for overcoming these challenges.

OUTCOME

The proposed questionnaire was initially provided to CSPD members in order to obtain their recommendations. Since no further comments or suggestions were received regarding its content, the questionnaire was distributed on October 2019 to be completed within a 2-week deadline (later postponed for another 2 weeks due to daily municipal obligations). Out of 38 municipalities in Kosovo, 22 (or 64.7%) completed the questionnaire while 4 of them are not part of AKM (*North Mitrovica, Zvečan, Leposavić and Zubin Potok*). The overall questionnaire response is 45%.

IDENTIFIED PROBLEMS, CATEGORIES, SECTORS

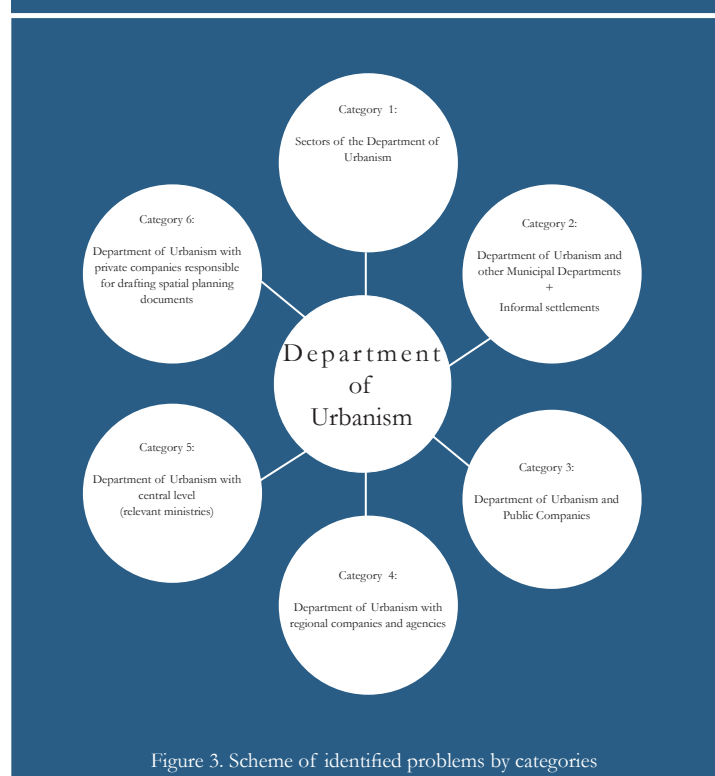
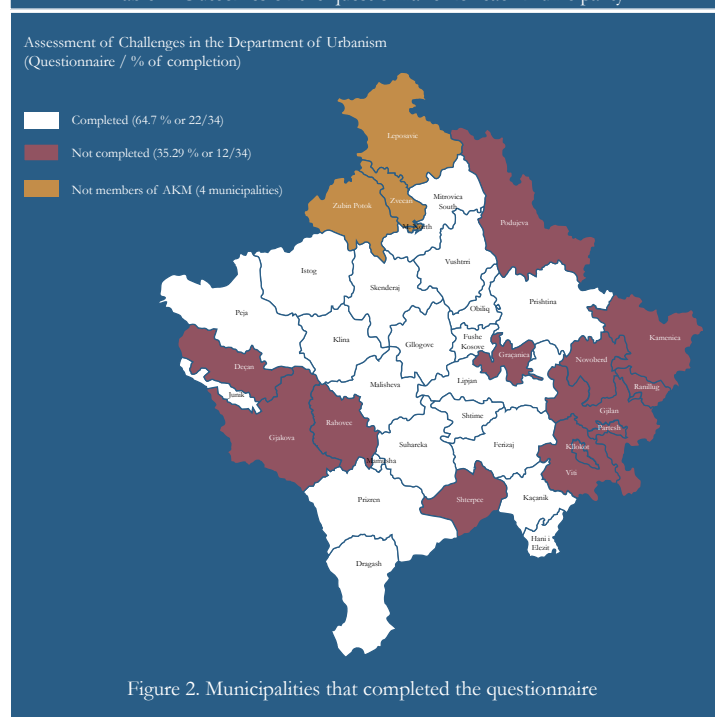
According to the assessment, all challenges raised by the Departments of Urbanism fall into six categories:

- Challenges within the Department of Urbanism (urbanism sectors);
- Challenges of the Department of Urbanism with other municipal departments;
- Challenges of the Department of Urbanism with Public Companies;
- Challenges of the Department of Urbanism with regional companies and agencies;
- Challenges of the Departments of Urbanism with the central level;
- Challenges of the Departments of Urbanism with private companies responsible for drafting spatial planning documents.

By assessing these categories, specific challenges and problems will be identified that would stimulate relevant solutions for each department based on their needs. The solutions will certainly be encouraged through exchange of good inter-institutional experiences, organized workshops for the benefit of professional development and increasing the efficiency of service and so on. Members of the CDSP also supported the idea of assessing the status of informal settlements.

Dragash	27.5 %	Mamusha	47.5%
Drenas	70%	Mitrovica South	27.5%
Ferizaj	62.5%	Obiliq	32.5%
Fushe Kosova	80%	Peja	22.5%
Hani i Elezit	40%	Prishtina	30%
Istog	27.5%	Prizren	32.5%
Junik	52.5%	Ranillug	30%
Kaçanik	50%	Shtime	62.5%
Klina	70%	Skenderaj	35%
Lipjan	77.5%	Suhareka	72.5%
Malisheva	12.5%	Vushtrri	32.5%

Table 1. Outcomes of the questionnaire for each municipality



1.1. Construction Permits

Obtaining a construction permit is a process that requires time and almost a year-round commitment by the staff of the Departments of Urbanism. This topic has also been discussed during CDSP meetings, well noted in questionnaire responses as well. The majority of the departments that completed the questionnaire have addressed lack of staff as one of the main issues evident in their municipality, regardless the size of the settlement. Increasing the number of civil servants in Departments of Urbanism is a priority; however, the Ministry of Finance and Transfers (MFT) has not provided a solution yet to overcome this problem as the (already) approved legal framework limits the number of employees in the public sector.

Lack of Detailed Regulatory Plans (DRP), previously known as Urban Regulatory Plans (URP), has also been identified as a major challenge for Departments of Urbanism. The lack of budget, and interest from political leaders to allocate budget for developing these plans, has led to uncontrolled construction sites in settlements. On the other hand, many departments which already have the plans, find them unclear and contradictory. Another issue is that not all departments have been responsible for drafting regulatory plans as the responsibility was given to private companies engaged through tendering processes. Consequently, the spatial plans that municipalities have, adopted by the Assembly and MIE, turn out to be unenforceable. Lack of proper organization of public meetings by local institutions and low participation of residents often create problems when implementing these plans since property owners consider themselves discriminated when their application for construction permit is rejected, especially in cases of (multi)residential high buildings.

Municipalities have expressed concern about the lack of Municipal Zoning Maps (MZM) process that requires a lot of work, time and commitment from many stakeholders. The lack of these plans, uncertainties and disharmony in the legal framework for issuing construction permits are challenges that many municipalities cannot overcome due to lack of (professional) staff within the department. Legal framework is considered overburdened, especially in the cases of buildings that require environmental consent and safety permits for fire emergency, earthquake, flooding or other natural disasters.

There is also lack of adequate citizen information about the process of obtaining a construction permit. After obtaining the construction permit, applicants often consider the process finished and do not follow further steps towards the certificate of use. That's why the number of registered buildings in cadastre is low.

Lack of interest in obtaining construction permit is evident in both rural and urban areas. The interest for the construction of residential buildings in agricultural land is quite challenging because of inadequate spatial plans that do address construction in these areas properly. Additionally, agricultural facilities are also a construction problem in agricultural areas, which are often in contradiction with central level policies and legal framework for the development of the agricultural sector (agriculture and planning).

Digitalization facilities within the Department of Urbanism are quite necessary and attracts high interest. However, the process remains challenging because of low budget, lack of professional staff and digitized cadastral maps due to low budget, absence of previous spatial plans and cadastral maps taken during the 1999 conflict in Kosovo (and sent to Serbia), and so on. The development of the geodesy and cadastral database would speed up the procedures for obtaining a construction permit and would enable the establishment of an Archive in Departments of Urbanism - current archives which contain files and documents are often exposed to humidity and fire risks.

Some municipalities face lack of space needed for efficient work hours. In some cases, all sectors in urbanism departments are placed in one office, while in others the workspace is shared with officials from other departments. Another problem is lack of equipment needed for daily works such as computers, printers and often a stable internet connection. It is worth noting that lack of vehicles for field surveillance and monitoring works is another obstacle in providing efficient services.

Payments of construction taxes, despite their low value, are often considered unaffordable for residents in some municipalities. Some departments apply payment in instalments but have been facing challenges with applicants that are not able to fulfill their obligations for construction permits, especially when construction field activities are not in line with applications made in advance by the owner or investor.

Lack of professional knowledge is also evident and it should be noted that Departments of Urbanism located operating in medium and small settlements are significantly understaffed and even the small staff they have, needs training and professional development.

1.2. Spatial Planning

Most urbanism departments in Kosovo have established Spatial Planning Sectors subject to drafting spatial planning documents and have shared good practices in this regard. Lack of staff in the sector remains the main challenge and therefore the lack of spatial plans in different levels (municipal, urban, neighbourhoods) as well as less efficient services in a daily basis. Lack of budget is itself a challenge as budget allocation for drafting the plans is considered a legal obligation only and does not take into account the importance of their implementation. In many cases, budget allocation is reported to be closely linked to political interests, therefore the process of spatial planning often results in a low quality and lengthy process. In addition to drafting the MDPs, MZMs should also be drawn up and this makes the drafting process a challenge.

The compatibility between sectoral strategic documents with spatial plans is failing in many municipalities because of there's no proper coordination between the stakeholders involved in the drafting process (public companies, central/local institutions, agencies, etc).

In addition to inter-institutional coordination, the overburdened spatial planning legal framework is also a challenge. Spatial plans developed by private consulting companies have been considered by some Departments of Urbanism unenforceable and incomplete in meetings needs for sustainable development. These private consulting companies are considered unprofessional and lack professional capacities which they claim to have. Another problem identified for not completing spatial plans is lack of information and data within and outside the municipality (public companies, regional agencies, central level), as well as low interest of residents to participate in public debates, driven by distrust in local institutions.

Implementation of spatial plans and monitoring of implementation is a challenge that has been raised by almost all Departments of Urbanism. The challenges identified are related to:

- Lack of budget and political will for the expropriation process; coordination of budget with capital investment policies and investments in line with the activity plan;
- Lack of cooperation and coordination with the central level, especially in the designation of protected or special interest zones; in some cases non-transparency has also been noted;
- Non-harmonization of projects with spatial plans, both at local and central level;

- Uncontrolled development;

- Incomplete content of the spatial plan - lack of data and information has led to the development of plans which during the implementation phase did not match with the situation on the ground. The calculation and assignment of coefficients in spatial plans are not based on any criteria, therefore the discrepancies. Two challenges have been identified during the assessment: (1) building coefficients for individual houses do not match when the property is small, and (2) building coefficients that are above any urban norm for multi-residential buildings;

- Failure to implement land consolidation, especially in rural areas, is a problem in the implementation of spatial plans, especially in terms of development of agricultural policies which are foreseen in the plan; In addition, also existing consolidation agricultural lands which are inherited from the pre-conflict period are also presenting problems for their development of agricultural development.

1.3. Environmental Protection

Environmental Protection Sector is one of the most important yet not many Departments of Urbanism have established this sector. Staff and professional training in this field are especially needed but as noted during the assessment, many departments have expressed interest in strengthening or establishing the sector.

Legal framework, some departments say, is cumbersome, does not respond to requests or problems nor complies with administrative and factual situation on the ground, and monitoring of law enforcement by municipalities is considered insufficient. Lack of budget remains a challenge therefore lack of environmental protection from pollution and degradation which results from the low interest of decision makers for concrete actions in this sector.

Waste management is also an issue; it affects the process of drafting spatial documents and issuing construction permits. Designation of waste collection points in urban areas is a problem, especially in high density areas, and has resulted even more difficult in rural areas. There is lack of cooperation with responsible public companies during the drafting process of spatial planning documents, and Departments of Urbanism do not have any maps that depict the location of illegal landfills. Furthermore, the construction of plants for (1) *waste classification/recycling* or (2) *wastewater treatment* are considered necessary, but require time (in case of expropriation) and budget (in case of expropriation and plant construction).

1.4 Treating buildings without construction permit in local level - Legalisation

A serious problem is also uncontrolled cutting of trees. Poor management of natural resources is considered a worrying phenomenon thus identified as a priority to act upon and put the situation under control. Cooperation and coordination between competent bodies should start as soon as possible by exchanging data and information, and designing joint interactive policies (to be included in spatial plans) that protect natural resources. Same goes for the Local Environmental Action Plan (LEAP) which has expired in some Departments of Urbanism and none of them assessed the level of implementation of these plans.

Among others, disaster protection has been described as a challenge because of emergencies that haven't been identified during the planning process, and decisions that haven't been made on time. Next is energy efficiency which has been included in the legal framework but the implementation is mediocre, and the reason is that this topic is insufficiently treated in the content of spatial plans. All of these have one thing in common and that is lack of adequate staff to manage and handle these issues, i.e. drafting environmental documents and more.

The implementation of plans, respectively creation of new public and green spaces, is also a challenge. The budget for creating such spaces is very small compared to what cities need, and there's no proper support from local policies. Current state of public and green spaces in municipalities of Kosovo is not good because of poor and irregular maintenance, and there are no sectoral plans that categorize or prioritize their maintenance. Insufficient irrigation of green public spaces is also a problem which comes as a result of irregular water supply and lack of water in urban areas, especially during spring and summer periods.

All the aforementioned challenges are due to low environmental protection awareness. To strengthen the situation is also the existing structure of cities that host heavy traffic with no mobility solutions or promotion of active modes of transport. In addition, the presence of old vehicles is also an issue that contributes to air pollution but there is no legal framework that prohibits their movement. Moreover, the use of bicycles as an alternative to active movement does not enjoy the support of Kosovo municipalities.

The issue of treating illegal constructions, known as the legalization process, has been addressed several times at CDSP meetings (in 2018/2019). In almost all MIE presentations, municipalities have raised similar central level-related issues, as derived from the assessment. As expected, departments face lack of staff (which is even more emphasized in this process), and lack of adequate spaces, equipment and training for implementing this process.

Low awareness and willingness from citizens to apply for legalisation is certainly a challenge. Expectations were high but in reality the number of applications is not satisfactory compared to the large number of constructions that need treatment. Based on their responses, some of the main reasons why municipal citizens do not apply are:

- property issues that haven't been settled beforehand;
- inadequate information by local and central institutions about the process and benefits of treating constructions without permit, especially for immigrants who own properties in Kosovo;
- lack of interest from local institutions to prioritize this issue.

Furthermore, the deadline set for the treatment of all buildings without construction permits at national level does not promise a successfully completed process. Such concerns have been raised by all Departments of Urbanism which participated in this survey. Although the legal framework was intended to facilitate application procedures, most departments participating in the questionnaire considered the procedure complex, the preparation of application documentation burdensome and, in some cases, unnecessary. Legalization fees are very low now (compared to the first phase of the legalization process), but those of geodesy and cadastre are considered high.

Municipalities that lack adequate plans are challenged by the non-compliance of the law in question with sectoral plans in the field of economy, land consolidation zones, irrigation zones or hazardous areas (erosive areas, floods, etc.).

Lack of coordination between stakeholders (local, regional and central level), lack of databases and spatial plans, inconsistencies between existing plans and real ground situation (differences between buildings with and without construction permits), and many other problems hinder the process of implementing this law.

1.5. Social Housing

Social Housing has also been addressed at CDSP meetings. Most common challenges in this category are:

- lack of budget for handling a large number of cases (a problem evident in all municipalities);
- lack of social housing assets (buildings/properties owned by municipalities);
- the legal framework does not encourage municipalities to prioritize social housing;
- lack of adequate sectors within the Departments of Urbanism that would develop policies or strategies on social housing;
- lack of transparency.

Other

In this sub-category, departments were given the chance to express other challenges or problems not foreseen in the questionnaire categories. As such, the majority of them emphasized the problem of:

- insufficient working spaces, especially one dedicated for meetings with relevant stakeholders or citizens;
- lack of (professional) staff in Departments of Urbanism;
- development of a "One-Stop-Shop" service system;

All of these would increase the performance of civil servants and quality of services to citizens.

Drafting and implementing capital projects has been another challenge mostly because there's no coordination of actions. The implementation of spatial plans, respectively of capital projects, is not monitored therefore their compliance with one another is not known.

2.1. Department of Geodesy and Cadastre

The challenges between Departments of Urbanism and Departments of Geodesy and Cadastre are numerous. The most evident one is lack of coordination between them even though they function under the same municipality. Lack of professional staff, namely surveyors, within the Department of Urbanism is one of the main issues causing lack of coordination. The existing staff in these departments requires additional training in order to increase service quality. However, in cases where both geodesy and cadastre are structured within the Department of Urbanism, the problem shifts to insufficient work space.

Procedures for cases that require treatment from Geodesy and Cadastre Sector are challenging when facing cases of physical divisions of cadastral parcels, and that's because proposals do not correspond to the spatial plans. Moreover, there is a lack of information-sharing and data exchange for buildings that have been granted construction permits.

During the process of drafting spatial plans (at municipal or urban level) the main challenge is obtaining cadastral data on the state of roads. The data is not updated regularly which creates gaps and inaccuracies during the spatial planning process. Same situation arises with data related to the usurpation of social property, as well as in cases of unfinished land consolidation.

Lack of geodetic and cadastral data - including those in digital format - creates other problems related to property issues, especially when relevant departments do not possess cadastral maps (because of the last conflict in Kosovo). Despite the fact that the Department of Cadastre is located within a municipality, access to its documentation in certain cases poses a challenge - due to bureaucracy and lack of coordination - and that might impede the workflow and the provision of efficient services.

2.2. Department of Agriculture

As observed during CDSP discussions, agriculture is considered the most important sector for municipal development thus concerns have been raised about how this sector is being managed. The biggest challenge between the Department of Urbanism and that of Agriculture is converting agricultural land into construction land. Other noted issues in this sector are:

- lack of coordination between these two departments;
- inconsistency between spatial plans, actual ground situation and sectorial strategies for agriculture;
- lack of data and information on the quality and category of land;
- lack of coordination at local and central level.

Non-coordination between local and central level has mostly been observed during applications for agricultural grants intended for local farmers. Grants are offered by the Ministry of Agriculture, Forestry and Rural Development (MAFRD) with the purpose of supporting local farmers in the construction of storages for agricultural products, commodities, greenhouses, etc. When applying for grants, farmers must be able to present the '*approved decision of land conversion*' i.e. from agricultural to construction land. To receive the approved decision, a '*conversion tax*' must be paid beforehand; the tax may be high (depending on the land quality) and sometimes it exceeds the value of the grant provided.

Another factor is the continuous demand for construction in rural areas, with owners who tend to obtain a building permit before starting construction. The process is often developed parallel to land conversion which may cause workload and procedure delays. These outcomes emphasize the need for capacity building within the sector. To strengthen the quality of services, information points or "One-Stop Shops" are recommended for the purpose of issuing construction permits in cases where dual consent (from local and central level) is needed.

Lack of sectorial strategic plans, spatial plans and municipal zoning provides another chain of agricultural challenges. The reason these plans may be unavailable is usually because of insufficient budget. Under these circumstances, the municipality won't be able to generate revenues coming from this sector even though demands for agricultural development or land conversion are high. Additionally, the small number of socially owned properties makes it difficult for local farmers to promote and sell products in urban areas. In some cases, spatial plans are available but lack implementation of agricultural policies, again because of insufficient budget. Speaking of documents, disharmony between planning and construction legal framework with that of agriculture is noticed.

Agriculture may also be affected by frequent natural hazards. In most cases, damage assessment reports do not reflect reality because there's lack of subject knowledge. In other words, data on the condition of agricultural land, including damage and pollution from uncontrolled use of pesticides, is neither reliable nor properly explained - sometimes not available at all.

Professional capacities are much needed for coordination of work activities between the Department of Urbanism and that of Public Services. Current staff faces increased workload which causes inefficiency in daily work tasks. Additional professional capacities would not only help coordinate work but also manage capital investment projects (CIP). Speaking of, local staff need additional training because they don't have the necessary expertise to design CIP. On the other hand, low municipal budget for CIP found projects drafted as bills of quantity only, without any adequate project plans.

Managing and inspecting the implementation of CIP - including cases that create conflict with projects implemented by public companies - is quite difficult. Many of the projects implemented are not in line with spatial plans, and the problem is that almost every project starts with implementation before obtaining the approval or construction permit from competent authorities. Poor coordination and cooperation between the departments make it impossible to consolidate the database with implemented projects and provide adequate information about the implementation of spatial plans. Proper knowledge and coordination would help during annual reportings to MLGA on spatial planning process and implementation of strategic plans. Based on the above, internal reorganization of the Department of Urbanism and sharing of duties is recommended.

Another challenge is waste management mainly because there's lack of (1) coordination between the municipal departments, (2) strategic sectoral plans for waste and (3) cooperation with public companies responsible for waste management. Departments of Urbanism are also concerned about the placement of containers in urban and rural areas which often lead to conflicts with residents of neighbourhoods or villages. These conflicts are also a result of non-participation from residents in public debates when spatial plans, strategic sectoral plans or waste management issues are being presented.

Last but not least, Kosovo municipalities have witnessed many fires so one of the concerns raised by Departments of Urbanism is the reorganization of fire-fighters' service and emergency interventions against fire. Some municipalities do not have professional fire-fighter services while some others have not resolved their status yet. Some departments argued that the uncontrolled development of cities has significantly reduced the professional quality of fire-fighting interventions in certain cases.

2.4. Department of Property

Relations between Departments of Urbanism with Sectors/Departments of Property are not considered as challenging. Only few issues have been identified, related to the usurpation of municipal properties which have direct impact on spatial planning and the implementation of capital investments. Not many seized properties are owned by municipalities but failure to identify them has led to poor management. That is why development of a database for identifying municipal properties and their usurpation is necessary yet challenging.

Lack of adequate staff and coordination between departments has affected property processes, including delays in property transfers or change of status. As a result, many municipalities are facing court proceedings.

2.5 Department of Economic Development

Generally speaking, constant changes to the legal framework, and, above all the low budget, make this process even very difficult.

Furthermore, one of the main challenges between the Department of Urbanism and that of Economic Development is lack of business inventory data, e.g. the number of active or closed businesses. Insufficient professional staff makes it impossible to regularly monitor these active and closed businesses, including their placement in a spatial database. This database shall be used for spatial planning processes and implementation of spatial plans, especially in sustainable economic development.

Speaking of, municipal economic development strategies and spatial plans are generally incompatible with one another due to lack of cross-sectoral coordination and cooperation, as well as prolonged document drafting processes.

In the meantime, lack of municipal properties remains a challenge for all municipalities in terms of economic development, especially for the municipalities affected by the privatization processes.

2.6. Department of Health

Health sector is very important during the planning process, but seems to be in poor condition despite continuous efforts to bring this sector to a satisfactory level. There are central level strategies for the development of health sector but in terms of local level, very few municipalities have developed them (e.g. Primary Health Care Strategy). That answers why many Departments of Urbanism during the planning process refer to the technical norms for spatial planning (health chapter) and local health strategies (the municipalities that own them).

Challenges in this sector are mostly related to the small number of civil servants in the Department of Health - which makes it impossible to respond to all inquiries, and monitor health conditions of the entire municipality (especially in rural areas) - and development of a database (for the quality of services, condition of health facilities, physical infrastructure, medicine and social welfare facilities). Among other things, there is lack of budget, monitoring, mid-term strategies and coordination.

2.7. Department of Culture, Youth and Sport

Challenges in this department are also related to insufficient capacities to perform i.e. staff and budget. Besides, many municipalities lack cultural facilities and sector strategies for the development of culture, youth and sports. This results into a negative impact on the spatial planning process; in some cases where construction permits are required for these facilities, applications seem to be in conflict with the approved spatial plans. Development of a database of natural and cultural assets is considered a priority, as well as the construction of archives/libraries with a satisfactory level of book titles.

2.8. Department of Budget and Finance

Budget allocation for spatial planning processes is often not taken as a priority, while capital investment planning is not in line with the existing spatial plans.

Cooperation and coordination of activities between these departments is considered to be deficient due to lack of staff and adequate training. The capital investment database is also limited and data cannot be recovered (no backup system). The only data that Departments of Urbanism may possess are those of property tax.

Changes to the legal framework are also challenging and often have a negative impact on spatial or budget planning processes.

Other

Departments of Urbanism consider the issue of developing a database in each municipality challenging but necessary for the planning processes and for the improvement of transparency.

Informal Settlements (IFS)

One of the important issues in spatial planning processes is the identification of informal settlements and their treatment since Kosovo is one of the countries that have signed the 'Vienna Declaration on Informal Settlements' in South Eastern Europe.

Given that the legal framework for spatial planning has changed and been supplemented by administrative guidelines, many municipalities have begun drafting the Municipal Development Plan and the Municipal Zoning Map as provided by law. What's more, these changes in the new legal framework foresee the identification of informal settlements in all settlements while maintaining that priority must be given to their treatment.

According to this survey, only 59% (precisely 13 Departments of Urbanism) responded positively to having identified the informal settlements in spatial plans, namely MDPs and UDPs. So far, the total number of identified informal settlements is 59. There are departments who claim that they have addressed all identified IFS. Some others, as assessed from the questionnaire, have operated as follows:

- only 54% of Departments of Urbanism have identified them in the MDP, according to Law no. 04/L-174;
- 84% stated that they're still in process of drafting the MDP and will identify them according to the criteria provided by law;
- 16% stated that they will identify informal settlements based on only one criteria, namely the property issue;
- 46% of Departments have not addressed informal settlements due to lack of budget and human capacities, and around 54% stated they did so (number of addressed IFS ranges from 1 to 6 per municipality);
- only 4 municipalities have identified informal settlements for rural areas.

On the other hand, MIE has also identified informal settlements per one municipality, and the number, based on this survey, increases to 72.

3.1. Water Supply and Sanitation

The main challenges that Departments of Urbanism face with water supply and sanitation companies are as follows:

- (lack of) data on the underground water supply and sanitation network (underground cadastre) which affects the process of spatial planning and listing of capital investment priorities;
- (lack of) data maintenance which is important for avoiding conflicts between the municipality and water supply and sanitation companies;
- medium and long-term strategies of public companies that are not in line with spatial plans;
- outdated standards for water supply and sewerage network which cause chain problems, especially loss in the amount of water; water misuse and impunity are also evident (a result of staff shortages);
- low level of collection of service fees which directly affect investments in the water supply network; consequently, the implementation of the projects foreseen within the spatial plan are slowed down or postponed because of time limits specified in the action/spatial plan;
- lack of coordination between municipal governance and public companies, therefore it is necessary to establish a "one-stop-shop" which creates mutual communication and facilitates the process of obtaining permits in the water supply and sewerage company;
- the failure of the construction inspectorate to prevent illegal constructions in time, as well as illegal access to the water supply network, has led to network damage.

3.2. Kosovo Energy Distribution Services (KEDS) Company

Regarding KEDS, the biggest challenge is delay in granting approvals related to the power network (e.g. access to the power network, removal of power network obstacles during infrastructure interventions), especially during the process of issuing construction permits when the party must be provided with consent for access to the power grid.

Another challenge is lack of coordination on capital projects by both parties (especially KEDS) and non-establishment of "One-Stop-Shop" offices. It is also noted that projects implemented by KEDS often appear contradictory to spatial plans.

Among other challenges listed are outdated power network, lack of investment (especially in rural areas), and not informing all actors about the plans or projects that will be implemented by KEDS.

3.3. Post and Telecommunication of Kosovo (PTK)

Unlike KEDS, Departments of Urbanism face less challenges with PTK. Most common challenges are:

- lack of coordination in actions and non-establishment of "One-Stop-Shop" although to lesser extent;
- extension of networks that do not comply to spatial plans which means there is no mutual communication;
- no exchange of information between departments and the company related regarding previous and planned projects.

3.4 Waste collection companies

Waste collection companies are mainly regional companies. Problems related to environmental protection have been raised many times by the Collegium and most common challenges faced by Departments of Urbanism in relation to these companies are:

- lack of proper coordination has resulted in low collection of payments and increased consumers' debt, thereby discouraging improvement and increased coverage of services; lack of "One-Stop-Shop";
- the negative impact on the environment due to lack of proper coordination, especially under the known fact that waste is not classified and recycled yet in Kosovo;
- the disregard of spatial plans by regional companies as a result of lack of development and operational strategies;
- waste dump site (landfill) locations for municipalities that collect waste are not easily accessible, they're surrounded by villages and pollute fertile land; the main landfills do not meet the environmental conditions for operation and cannot withstand the accumulated amount of waste; spatial plans do not foresee the expansion of landfills for years to come, therefore procedures for the expropriation of private property around landfills for their expansion have not yet been developed.

4.1. Privatization Agency of Kosovo (PAK)

Cooperation and coordination of departments within the municipality is challenging, but opportunities are provided to overcome them and improve internal organization and management. Nevertheless, municipalities should work more towards bringing cooperation and coordination with regional public companies and agencies to a satisfactory level, especially with the Privatisation Agency of Kosovo (PAK).

Cooperation with PAK is considered difficult and bureaucratic. PAK has ofentimes submitted certain cases for privatization without the knowledge or approval of the municipality, at the same time contradictory with municipal development policies or spatial plans. Inadequate and late notification of buyers leads to administrative conflicts between new owners and the Departments of Urbanism over destination changes or delivery of construction permits.

4.2. Regional company "Bifurkacioni"

Regional company 'Bifurkacioni' is a public company which provides water supply services and sewage collection in the south-eastern part of Kosovo, respectively in the municipalities of Ferizaj, Kaçanik and Hani i Elezit. The main challenge with this company lies in the non-harmonization of actions with the approved spatial plans.

4.3. Post and Telecommunication of Kosovo (PTK) at regional level

The challenges faced by Departments of Urbanism with PTK at regional level are almost the same as those faced at local level. Projects are not in line with spatial plans and there is no coordination with capital investments of municipalities.

A specific case would be the placement of mobile phone antennas which often contradict spatial plans, respectively land use foreseen in these plans. PTK has placed antennas in certain municipalities to increase mobile phone services for the neighbouring municipality.

Other

In general, Departments of Urbanism have identified the bureaucracy as the main challenge with regional public companies. That's one of the main issues to cause lack of coordination and cooperation, as well as irresponsibility from regional public companies. As a result, many important municipal projects were lost because of response delays, or the issuance of certain decisions by these companies.

5. Central level

5.1. Ministry of Infrastructure and Environment (MIE)

**former Ministry of Environment and Spatial Planning (MESP)*

The main challenge faced by Departments of Urbanism with MIE is lack of coordination. Additionally, proper communication is considered to be only at political level because professional communication is not functioning. The legal aspect is quite problematic and this is noticed while drafting and implementing the laws. According to the Departments of Urbanism, MIE decisions are often confusing and do not provide solutions to problems. Furthermore, financial and professional support is also not at a desirable level.

5.2. Ministry of Infrastructure and Environment (MIE)

**former Ministry of Infrastructure and Transport (MIT)*

Departments of Urbanism have considered MIT as the ministry that cooperates the least, as well as the "bypassing ministry" of administrative and legal procedures. In addition to not sharing data and information on spatial plan developments, it is also designated as non-cooperative enough in project design and road investment. Equipment with construction permits for municipal infrastructure projects, mutual communication, lack of transparency in project design, prolonged procedures for obtaining permits for highways are most the common challenges related to this ministry.

5.3. Ministry of Agriculture, Forestry and Rural Development (MAFRD)

Lack of coordination with this ministry is evident during the process of planning and implementing the plans. Conversion of agricultural land into construction land is assessed as problematic, with prolonged processes and inadequate mechanisms for its protection.

In certain cases, the existing legal framework creates confusion during its implementation and affects the loss of agricultural land. Vagueness has been noted in calls for applications for agricultural grants. These calls compile programs with application conditions and criteria which are not in line with the legal framework, i.e. the construction law.

Property issues and land consolidation are challenging issues in the design and implementation of spatial plans in the field of agriculture, including lack of sufficient data and information by the ministry.

5.4. Ministry of Local Government Administration (MLGA)

Most common challenges between the Departments of Urbanism and this ministry are related to decisions taken by the Assembly; if delayed, negative impacts on spatial planning processes may be caused. It is therefore necessary to increase inter-institutional communication between these two institutions, mainly related to decision-taking processes in this sector. MLGA can also have a major impact on the staff number of departments and should also reconsider staff capacities.

6. Private Companies

There is a small number of municipalities to draft spatial documents based on internal professional capacities, namely local staff. In general, Departments of Urbanism have contracted private companies for assistance in the preparation of these documents. The problem observed in relation to these companies is that spatial documents designed by them haven't always been at the required level. Additionally, default contents were provided from municipality to municipality; this neither brings innovation in spatial planning nor does it give good practices to exchange between municipalities or help finalize their process of drafting spatial plans.

Political influence often goes beyond the interests of the Departments of Urbanism, and developments can take other directions. Inclusion is one of the important elements during the process of drafting spatial plans, that's why educational institutions (e.g. universities) would be able to provide great contribution with the professional staff they have.

Division of responsibilities within municipalities during the compilation of programs for drafting spatial plans affects the organization of meetings, workshops or debates, be it internally or externally. Non-compliance with shared responsibilities leads to delays in achieving the goals set out in the work plan. Since that's a chain process, private companies are delayed in fulfilling their obligations on time according to the foreseen stages, and time period is almost never respected.

Conclusions

Results of the survey reflect almost all challenges that Departments of Urbanism face in their daily work. Some have been addressed at CDSP meetings, enhancing City-to-City dialogue by exchanging experiences and good practices among departments for overcoming these challenges. In many cases, representatives from central level were also present as well as ready to provide support and cooperation. As expected, in all categories of problems that have been part of this survey, the following main challenges have been singled out:

- The small number of staff and need for professional development of the existing staff in Departments of Urbanism;
- Lack of political will to provide more support to Departments of Urbanism, be it technically, logistically or financially;
- Involvement in various spatial planning and implementation processes;
- Improving cross-sectoral and inter-institutional cooperation;
- Coordination of projects, plans and strategies of all actors who are affected by spatial plans.

Other identified problems faced by departments during their daily work is the process of issuing construction permits which is still facing difficulties due to not having enough professional staff, the legal framework and in some cases certain contradictions, lack of spatial plans and low citizen awareness for application.

Budget support in Departments of Urbanism for drafting spatial plans is still not seen as a priority. On the other hand, during the process of implementing spatial plans, departments identified cases where existing spatial plans do not meet the requirements and needs of citizens, and in certain cases are deficient. This is also a result of the unsatisfactory level of work from private consulting companies in the design of spatial plans where departments have been only observers of the process. At the same time, there are other issues that led to 'incomplete' spatial plans such as not developing debates with stakeholders and lack of data provided by them in this process, professional preparation of the consulting company, and awareness of citizens to participate in decision-making which hasn't been used to the maximum.

Nevertheless, the engagement of private consulting companies is seen as necessary considering the low number of staff in Departments of Urbanism to deal with. Yet, companies should improve their compliance with deadlines and inclusivity in the process.

Legal framework is encumbered and contradictory in certain cases when issuing a construction permit. What's more, Departments of Urbanism based on medium-sized and small-sized municipalities lack professional capacities for drafting environmental or fire safety elaborations, internally and externally. For this reason, they're often forced to seek solutions in larger municipalities to draft such documents.

Digitalisation and building a spatial database (containing all necessary information and data) within the Department of Urbanism would not only help facilitate internal work, but also produce analysis that would serve other departments as well. Very few departments possess a digital database while many others go by the classic archive. Building a database and managing it requires additional and professionally trained staff, but legal restrictions do not allow new employment in the public sector, and there is lack of political will and budget. Workplaces are also an issue because they do not meet conditions for work development. If these conditions, are met, there must be a lot of training for professional development of local staff.

Some Departments of Urbanism still face lack of spatial plans drafted before the recent conflict in Kosovo, data on construction permits issued before 1999, and geodetic and cadastral maps. Municipal Zoning Map is also also considered a difficult process and requires great commitment from the local staff.

Despite sharing the responsibilities, the participation process failed. Failure to follow the process of drafting a spatial plan, its completion and knowledge content leads to the drafting of sectoral strategic documents which are inconsistent to the spatial plan. Same discrepancies can be found in the strategies of public and regional companies or even in different regional agencies. This is a result of the low level of cooperation between the Municipality and public/regional companies. It also depends a lot on the political interest for a complete spatial plan that meets the needs of citizens for sustainable development. The role of decision makers can be vital also in strengthening cooperation with central level during the process of drafting spatial plans.

Environmental protection is a priority for all Departments of Urbanism, but even in this case the problem is lack of staff and professional capacities of existing staff. Departments state that environmental legal framework is very “wide” so it's necessary to create sectors within the Department of Urbanism dedicated to environment issues only. Problems identified are related to waste management, forest protection from deforestation, better management of natural resources, air/land/water pollution. The existing LEAPs' are obsolete and it is not known to what extent they have been implemented.

The treatment of buildings without construction permits process has started in all Departments of Urbanism after the announcement by MIE was received. Obviously, lack of staff is an issue in this sector as well in terms of reviewing “legalisation” requests. It is also challenging to inform the citizens right about this process, while political interest is not satisfactory. Legal framework is considered burdensome and not very clear to citizens. In the meantime, many Departments of Urbanism consider that the “legalization” process will not help them achieve the goals set in spatial plans in terms of construction management, land use, economic development and protection of construction land.

The treatment of informal settlements is an important issue as well, but the commitment in this direction requires an increase in the number of staff. On a positive note, the issue of informal settlements has been addressed by most municipalities, but the rest have not done so because there's not enough budget to treat them.

Cooperation with public companies is not at the right level during the process of drafting spatial plans and during the implementation process. Data and information exchange still has problems. Joint meetings are only done ad-hoc, while the drafting of strategies by public companies, in most cases, contradicts the spatial plans of the Municipality. Establishing the “One-stop-shop” office would facilitate many actors engaged in these process and will help overcome bureaucracy between the citizens, municipality and public companies. Bureaucracy has been identified as one of the factors why municipalities often lose various donations, projects or grants.

The role of PAK is identified as inferior during the process of drafting spatial plans but also during their implementation. There is lack of proper communication and cooperation with them. While cooperation with central level is considered relatively good, improvement is required especially in the removal of bureaucracy to achieve the common goal. Further cooperation with MEI, and professional support from MLGA regarding the decisions taken in the Municipal Assembly, are expected.

ANNEX: Questionnaire assessment

CHALLENGES ASSESSMENT IN DEPARTMENTS OF URBANISM			
Municipality:			
No	Categories	Sub-categories	The challenges your department faces with each respective field
1	Sectors within Departments of Urbanism	1.1 Construction Permits	
		1.2 Spatial Planning	
		1.3 Environmental Protection	
		1.4 Legalization	
		1.5 Social Housing	
		Other	
2	Municipal departments	2.1 Department of Geodesy and Cadaster	
		2.2 Department of Agriculture	
		2.3 Department of Property	
		2.4 Department of Public Services and Municipal Affairs	
		2.5 Department of Economic Development	
		2.6 Department of Health	
		2.7 Department of Culture, Youth and Sport	
		2.8 Department of Budget and Finance	
		Other	
3	Public companies	3.1 P.C. Water Supply and Sewage	
		3.2 P.C. Electricity	
		3.3 P.C. Post and Telecommunication	
		3.4 P.C. Waste management	
		Other	
4	Regional Public Agencies and Companies	4.1 Agency: PAK	
		4.2	
		4.3	
		4.4	
		4.5	
		Other	
5	Central level (ministries)	5.1 MESP (now MIE)	
		5.2 Agriculture (MAFRD)	
		5.3 Infrastructure (now MIE)	
		5.4 MAPL	
		Other	
6	Private companies	6.1 Private companies drafting spatial plans	
		Other	

INFORMAL SETTLEMENTS:		
Municipality:		
1	Have you identified informal settlements in previous spatial plans (MDP and UDP) according to the Law on Spatial Planning 2003/14?	
2	If yes, how many informal settlements have been identified and where?	
3	Have you identified informal settlements in rural areas according to the Law on Spatial Planning 2003/14? If yes, provide detailed information.	
4	Have you treated informal settlements according to regulation plans? If yes, provide detailed information.	
5	Have you identified informal settlements in the Municipal Development Plan according to the Law on Spatial Planning 04/L-174? If no, please specify why?	
6	If yes, indicate the number of identified informal settlements and their location.	
7	What are the criteria used to identify informal settlements?	



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