

REAL ESTATE CADASTRE & GEOSPATIAL INFRASTRUCTURE PROJECT (REGIP)

Terms of Reference for:

Legal Expert as member of sub-committees to support the Committee in reviewing and deciding on the formalization of the factual situation and inconsistencies with the Immovable Property Rights Register (the Committee)

(Contract Ref. Number: XK-KCA-486210-CS-INDV)

The Government of Kosovo has received a Credit from the International Development Association (IDA) in the amount of EUR 14.60 million to finance the Real Estate Cadastre & Geospatial Infrastructure Project, expected to be implemented within a five-year period. The project proposed aims to assist the Government of Kosovo in enhancing transparency and quality in land administration, geospatial data and services. The Kosovo Cadastral Agency (KCA) is the implementing agency for the REGIP project, within which the Project Implementation Unit (PIU) will be established. The PIU will be staffed with the Head of PIU, Procurement Specialist, Financial Management Specialist, Public Relations and Communications Specialist, Legal Specialist, and other technical staff such as GIS/Cadastre Experts, etc. The PIU will be responsible for the day-to-day implementation of the project and ensuring specific technical oversight for project activities. It will oversee all aspects of the project, including procurement, financial management, monitoring and evaluation, and project safeguard measures.

Within REGIP, one of the core activities is the Reconstruction of Cadastre (RC) project. RC is planned to be implemented in up to 120 priority cadastral zones.

RCI will be implemented by contracted Economic Operators that will reconstruct cadastral information in the designated cadastral zones. Activities performed by Economic Operators will be monitored by the Quality Control Contractor.

Based on Article 42 of Law No. 08/L-237 on the Cadastre of Immovable Property, KCA will establish sub-committees to fulfil obligations arising from the reconstruction process and provide support to the Committee during this process.

The PIU is currently seeking Legal Expert in the legal area of property law .

Job description and Responsibilities

The responsibilities of the Legal Expert who will be part of the sub-committees to support the Committee for Reconstruction of Cadastral Information are defined under Article 42 of Law No. 08/L-237 on the Cadastre of Immovable Property and Article 13 of Administrative Instruction (MMPHI) No. 08/2024 on Committees and Sub-committees for Reconstruction of Cadastral Information and Immovable Property Rights Register, as well as any other tasks required by KCA or the RCI Committee.

The Expert will be stationed in the premises of the KCA in Prishtina, but should be ready to travel to various project sites throughout the country, hold numerous meetings and work under pressure. The transport will be provided from KCA.

As a member of the subcommittee Legal Expert will:

- Reviews cases for recognition and formalization of uncontested property rights on immovable properties in cases of unformalized inheritances;
- Reviews cases for recognition of ownership in cases of purchase/sale according to informal/oral agreements that remained unformalized before the commencement of RCI project and proposes their approval or rejection to the Committee;
- Prepares, in cooperation with the Economic Operator, and proposes the opening of public inspection, including the announcement of the date, organization, and leadership of the public inspection;
- Takes statements from parties, provides the necessary documentation and evidence for decision-making;
- Supports the Committee in reviewing requests and complaints from owners, prepares and holds hearings for reviewing requests or complaints, and issues decisions for each case presented during the public inspection;
- Reviews cases for the completion or correction of data when cadastral data is incomplete or contains errors and sends it to the Commission for approval;
- Prepares and proposes the time and place for public information for residents of the Cadastral Zones included in the project;
- Cooperates with institutions and persons with public authorizations for the use of necessary data to provide documentation and evidence for decision-making regarding the correction of incomplete or erroneous cadastral data;
- For the work performed, they report to the Committee of RCI. The work carried out by the subcommittees is reviewed and approved by the Committee.

Legal Expert

Qualifications required

- University degree in Law;
- Minimum three (3) years of relevant professional experience in immovable property law; Good knowledge of applicable laws in the Republic of Kosovo on registration of property rights and cadastre;
- Excellent drafting, analytical, communication, coordination and interpersonal skills;
- Fluency in Albanian language is required;
- Proficiency in English and Serbian languages are advantages;
- Excellent knowledge of computer applications (Word, Excel)

Deliverables

The main outcome of the work performed professionally, should satisfactorily support the main RC Committee during the implementation of project

Regarding the fulfilment of the duties described under the job description and responsibilities, the Legal Expert will be required to prepare and submit work reports for the specified tasks, in accordance with the RCI implementation plan, in coordination with the RCI Committee.

Working conditions and performance period

The locally recruited Legal Expert will work full-time (8 hours), and the contract duration is expected to be until the end of the REGIP project (30 November 2026). A contract extension will be subject to satisfactory performance agreed upon during a planned official evaluation. Payment will be made based on the monthly rate agreed upon in the contract. The Expert is expected to commence services upon contract signing. The Expert will be stationed in the premises of the KCA in Prishtina, but should be ready to travel to various project sites throughout the country, hold numerous meetings and work under pressure.

Reporting

Legal expert will report to Director of Legal Department of KCA and submit a monthly time-sheet to calculate the actual days worked during the calendar month.

Selection process

Experienced and qualified individuals will be selected under the provisions of the World Bank's Procurement Regulations for Investment Project Financing (IPF) Borrowers, issued in July 2016, and revised November 2017 and August 2018, based on Selection of Individual Consultants open call competitive.

The Kosovo Cadastral Agency is committed to the principles of equal employment opportunities and is also committed to making employment decisions based on merit. We are committed to complying with state laws providing equal employment opportunity, as well as all laws relating to conditions of employment. The Agency wishes to maintain a work environment free of sexual harassment or discrimination based on race, religion, color, national origin, sexual orientation, physical and mental disabilities, marital status, age, or any other condition protected by state law.