

REAL ESTATE CADASTRE & GEOSPATIAL INFRASTRUCTURE PROJECT (REGIP)

Terms of Reference for:

Legal Expert as a member of subcommittees to support the Committee in reviewing and making decisions on the formalization of the factual situation and inconsistencies with the Immovable Property Rights Register (the Committee)

Number of positions:2

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 improving 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 have personnel consisting of the Head of the PIU, Procurement Specialist, Financial Management Specialist, Communication and Public Relations 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 provide specific technical oversight for the project activities. It will oversee all aspects of the project, including procurement, financial management, monitoring and evaluation, as well as project safeguard measures.

Within the REGIP, one of the key activities is the Cadastral Reconstruction (CR) project. CR is planned to be implemented in 115 priority cadastral zones.

CR will be carried out by contracted economic operators who will reconstruct cadastral information in the designated cadastral zones. The activities performed by the economic operators will be monitored by the quality control contractor.

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

The PIU is currently seeking two Legal Experts in the area of property rights law.

Job description and responsibilities

The responsibilities of the Legal Expert, who will be part of the subcommittees supporting the Committee for Cadastral Information Reconstruction, are defined in Article 42 of Law No. 08/L-237 on Cadastre of Immovable Property and Article 13 of Administrative Instruction (MESPI) No. 08/2024 on Subcommittees and Committees for Cadastral Information Reconstruction and Immovable Property Rights Register, as well as any other tasks required by KCA or the CIR Committee.

The Expert will be stationed at KCA premises in Prishtina but must be willing to travel to various project locations across the country, hold multiple meetings, and work under pressure. Transportation will be provided by KCA.

As a member of the sub-committee, the Legal Expert shall:

- Review cases for the recognition and formalization of uncontested property rights over immovable properties in cases of unformalized inheritance;
- Review cases for recognition of ownership in transactions based on informal/oral agreements that remain unformalized prior to the start of the CIR project and propose their approval or rejection to the Committee;
- Prepare, in cooperation with the Economic Operator, and propose the scheduling of public viewings, including the announcement of dates, organization, and management of public inspections;
- Take statements from parties, obtain documentation and necessary evidence for decision-making;
- Support the Committee in reviewing applications and complaints from property owners, prepare the organization of hearings for examining applications or complaints, and draft decisions for each case presented during the public viewing;
- Review cases of data completion or correction when cadastral data is incomplete or contains errors and forward them to the Commission for approval;
- Prepare and propose the time and place for public information meetings for residents of cadastral zones included in the project;
- Cooperation with institutions and persons with public authorizations to utilize necessary data for obtaining documentation and evidence for decision-making on the correction of incomplete or erroneous cadastral data;
- Report to the Committee on the tasks performed. The work carried out by the subcommittees will be reviewed and approved by the Committee.

Legal Experts

Qualifications required

University degree in Law;

At least three (3) years of relevant professional experience in immovable property law;
Good knowledge of the applicable laws in the Republic of Kosovo regarding property rights registration and cadastre;

Excellent drafting, analytical, communication, coordination and interpersonal skills;

Fluency in the Albanian language is required;

Knowledge of English and Serbian is an advantage;

Excellent knowledge of computer applications (Word, Excel).

Deliverables

The main deliverables of the professionally performed work should satisfactorily support the main CR Committee during the project implementation.

Regarding the fulfilment of tasks described in 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 CIR implementation plan, in coordination with the CR Committee.

Working conditions and performance period

The recruited local Legal Expert will work full-time (8 hours), and the contract duration is expected to be 12 months, with the possibility of extension based on the project's closing date. The contract extension will be subject to satisfactory performance, as agreed upon during the scheduled official evaluation. Payment will be made based on the monthly amount agreed upon in the contract. The Expert is expected to commence services upon signing the contract. The Expert will be stationed at KCA premises in Prishtina but must be willing to travel to various project locations across the country, hold multiple meetings, and work under pressure.

Reporting

The Legal Expert will report to the Director of the Legal Department of KCA and will submit a monthly attendance report to account for the actual working days during the calendar month.

Selection process

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

The Kosovo Cadastral Agency is committed to the principles of equal employment opportunities and making employment decisions based on merits. We are committed to implementing state laws that provide equal employment opportunities, as well as all laws related to employment conditions. The Agency aims to maintain a workplace free of sexual harassment and discrimination based on race, religion, colour, national origin, sexual orientation, physical and mental disabilities, marital status and any other condition protected by state laws.