



COUNTRY OF ORIGIN INFORMATION KEY DOCUMENTS

KOSOVO

6 AUGUST 2008

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1. Preface

- i This Country of Origin Information Key Documents (COI Key Documents) on Kosovo has been produced by COI Service, UK Border Agency (UKBA), for use by officials involved in the asylum/human rights determination process. It provides general background information about the issues most commonly raised in asylum/human rights claims made in the United Kingdom. The COI Key Documents includes information available up to 29 July 2008. It was issued on 6 August 2008.
- ii The COI Key Documents is an indexed list of key reports, papers and articles produced by a wide range of recognised external information sources. It does not contain any UKBA opinion or policy.
- iii For UK Border Agency users, the COI Key Documents provides direct electronic access to each source referred to in the document, via a link on the source numbers in the index and list of sources. For the benefit of external users, the relevant web link has also been included, together with the date that the link was accessed.
- iv As noted above, the documents identified concentrate mainly on human rights issues. By way of introduction, brief background information on Kosovo is also provided. Please note, this background material is not intended to provide a summary of the material contained in the documents listed.
- v This COI Key Documents and the documents listed are publicly disclosable.
- vi Any comments regarding this COI Key Documents or suggestions for additional source material are very welcome and should be submitted to COI Service as below.

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ADVISORY PANEL ON COUNTRY INFORMATION

- vii The independent Advisory Panel on Country Information (APCI) was established in 2003 to make recommendations to the Home Secretary about the content of the UK Border Agency's country of origin information material. The APCI welcomes all feedback on UKBA's COI Key Documents, COI Reports and other country of origin information material. Information about the Panel's work can be found on its website at www.apci.org.uk

- viii In the course of its work, the APCI reviews the content of selected UKBA COI documents and makes recommendations specific to those documents and of a more general nature. The APCI may or may not have reviewed this particular document. At the following link is a list of the COI Key Documents, COI Reports and other documents which have, to date, been reviewed by the APCI: www.apci.org.uk/reviewed-documents.html
- ix Please note: It is not the function of the APCI to endorse any UKBA material or procedures. Some of the material examined by the Panel relates to countries designated or proposed for designation for the Non-Suspensive Appeals (NSA) list. In such cases, the Panel's work should not be taken to imply any endorsement of the decision or proposal to designate a particular country for NSA, nor of the NSA process itself.

Advisory Panel on Country Information:**Email:** apci@homeoffice.gsi.gov.uk**Website:** www.apci.org.uk[Return to Contents](#)

2. Background information on Kosovo

Full Country Name: The Republic of Kosovo

Independence from Serbia declared 17 February 2008; formerly the province of Kosovo of the Republic of Serbia

Area: 10,887 sq km

Population: Estimated population : 2 million

Capital City: Pristina, estimated population : 600,000

People: Albanian (88%), Serbs (6%), Muslim Slavs [Bosniaks] (3%), Roma (2%), Turks (1%)

Languages: Albanian, Serbian, Bosniak and Turkish

Religion(s): Roman Catholicism, Islam, Serbian Orthodoxy

Currency: Euro

Major Political Parties: Democratic Party of Kosovo (PDK); Democratic League of Kosovo (LDK);

Government: The Kosovo Government has full responsibility for public administration.

Head of State: President Fatmir Sejdiu (LDK)

Deputy Head of State: Prime Minister Hashim Thaçi (PDK)

(FCO Country profile of Kosovo, last reviewed 3 April 2008) [3a]

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GEOGRAPHY

Kosovo comprises of a large plateau surrounded by mountains to the west, south and south east. [16a]



RECENT HISTORY

“In response to their loss of autonomy, and their expulsion from employment, education and the healthcare system, the Kosovo Albanians began a campaign of peaceful resistance, setting up parallel institutions mirroring those imposed on them by Belgrade. In 1991, in a referendum organised by the parallel institutions, they voted overwhelmingly for independence. In 1992, secret elections led to the appointment of Ibrahim Rugova as Kosovo President. His party, the Democratic League of Kosovo (LDK), which dominated the underground parliament, declared independence on 28 May 1992.

“The Kosovo Albanians anticipated that the international community would settle Kosovo's status along with the end of the war in Bosnia. But the Dayton Accords, which ended the war in 1995, did not touch on Kosovo. The frustration of the Kosovo Albanians led to the formation of the Kosovo Liberation Army (KLA) which began a low-level campaign of shootings and murder against Serbian security forces. During 1998 the conflict escalated. Serbian forces began a program of systematic reprisals and village clearances against the Kosovo Albanians. 250,000 fled their homes.” (FCO Country profile, Kosovo, last reviewed 3 April 2008) [3a]

The situation in Kosovo deteriorated during 1998 and 1999 until:

“In the face of growing human rights abuses, NATO had no choice but to act to prevent a humanitarian crisis. NATO air strikes on Kosovo and Serbia began on 24 March 1999 and continued until 9 June 1999. Following NATO's intervention, the Serb armed forces massively intensified a policy of ethnic cleansing, driving over 850,000 Kosovo Albanians out of Kosovo and into neighbouring countries. On 10 June, Milošević agreed to withdraw Serb troops from Kosovo, leaving the way open for international peacekeepers and allowing those who had fled to return to their homes.

Following the conflict, the UN adopted Security Council resolution 1244, which authorised the establishment of the UN Mission in Kosovo (UNMIK) and deployment of a NATO-led security force (KFOR). It placed Kosovo under transitional UN administration while remaining technically part of Serbia pending the outcome of a political process to resolve its final status.” (FCO Country profile, Kosovo, last reviewed 3 April 2008) [3a]

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RECENT EVENTS AND POLITICAL DEVELOPMENTS

The recent past: 2000-2007

The FCO regional profile of Kosovo has a detailed account of the process towards a resolution of status, from the 2005 meeting of the UN Security Council and the Contact Group, through to the formulation of the Ahtisaari Plan, and the breakdown of two years' contact talks with the Serbian Government regarding Kosovo's imminent independence. (FCO Country profile, Kosovo, last reviewed 3 April 2008) [3a]

A key event in the period of UNMIK administration was the March 2004 riots in which 19 people were killed in clashes between ethnic Albanians and ethnic Serbs. A major flashpoint was in the ethnically-divided city of Mitrovicë. (BBC News timeline, 17 February 2008) [6b]

Independence

Independence was declared by the Kosovan Assembly on 17 February 2008. (Jane's Sentinel Country Risk Assessments, 24 June 2008) [7a] Previously, on 15 February, the International Crisis Group noted a Balkan Insight report that stated, "Kosovo's declaration of independence, expected in the coming days, has chances to pass peacefully. The signs are encouraging from both Kosovo's Albanian majority and the Serbian government." (BBC News, 15 February 2008) [13b] In the event, there was only one incident of violence in Kosovo, when a hand-grenade was thrown at a government building resulting in superficial damage; and there were violent protests in Belgrade, the capital of Serbia over the weekend of the 16 / 17 February 2008. [6f]

On 19 February 2008, two border points on the northern Kosovo / south Serbia border, at Jarnije and Banja, were attacked by gangs of Kosovan Serbs, and destroyed. The Kosovo Protection Force (KPS) officers stationed there were rescued by French KFOR (UN Kosovo Force) troops, and remained in protection at the French KFOR base in Mitrovica. As of 20 February 2008, the border with Serbia has been closed by the UN. (BBC News, 20 February 2008) [6j] The Serbian state-run railway company announced on 3 March 2008 that it was reclaiming the 50km Lesak-Zvečan railway in northern Kosovo; and that 150 Serb KPS policemen were in dispute with KPS headquarters. (BBC News, 3 March 2008) [6i]

On 18 March 2008, BBC News reported that a Ukrainian UNMIK policeman died after sustaining injuries on 17 March 2008, as UN forces attempted to evict Serb protestors who had previously occupied a courthouse in Mitrovicë, after a series of protests. (BBC News, 18 March 2008) [6k]

On 15 June 2008 the new Kosovan constitution entered into force. (Reuters, 4 June 2008) [11a] The Telegraph reported on the 15 June 2008 that the "historic transfer of power" saw the Albanian majority take "...control of the government for the first time. The United Nations, which has run the former Serb province since the war of 1999, handed over the administration to the local authorities under Kosovo's independence constitution." [27a]

There was a souring of international relations when the United States recognised Kosovo as an independent state; the United Kingdom and a number of major European Union countries individually acknowledged Kosovo's independence. (BBC News, 21 June 2008) [6a] "By June 2008, 42 states had officially recognised Kosovo as an independent state..." (Jane's Sentinel Country Risk Assessments, 24 June 2008) [7a] However, "...Serbia, with the help of its big power ally, Russia, has vowed to block Kosovo from getting a United Nations seat." (BBC News, 21 June 2008) [6a] Seven members of the EU, including Spain and Romania, refused to recognise Kosovo's independence. (The Times, 16 June 2008) [20a] *The Telegraph* reported on 15 June 2008 that China, the second permanent member of the UN Security Council, had also refused to accept Kosovo as an independent entity. [27a]

A copy of Kosovo's constitution can be found through this link: <http://www.kushtetutakosoves.info/repository/docs/Constitution.of.the.Republic.of.Kosovo.pdf>

Authorities in Kosovo

In the slow move to independence, power will move from the United Nations Mission In Kosovo (UNMIK) to Kosovan Government institutions that have been operational as Provisional Institutions of Self-Government (PISGs). (USSD report for 2007) [2a] (Kosovo, introduction)

UNMIK has been and is the executive power in Kosovo, until independence is assured: "UNMIK promulgated regulations that addressed the civil and legal responsibilities of governmental entities and private individuals and ratified laws passed by the Kosovo Assembly". (USSD report for 2007) [2a] (Kosovo, introduction)

Amnesty International (AI) noted on 17 February 2008 that Kosovo had declared independence, and mentioned the Ahtisaari Plan, the UN plan for "supervised independence". The press release summarises "The plan proposed jurisdiction by the Kosovo authorities over legislative, executive and judicial functions, a European Security and Defence Policy mission responsible for international judiciary and prosecutors, an international police force and continued military presence, with an International Civilian Representative charged to ensure implementation of the plan." [10a] The European Union will also provide advisors to the institutions of the fledgling state (the Athasaari plan). (Amnesty International, 17 February 2008) [10a]

"In theory, a new European Union mission should replace the UN's presence and take on a supervisory role to reassure the Serb minority and avoid a security vacuum. But Russia has blocked this move, despite the fact that more than 2,200 EU personnel are already in Kosovo. The Kremlin believes that allowing this mission would be tantamount to recognising Kosovo's independence.

"Nato, which still has 16,000 troops in Kosovo, will train a new security force with 2,500 personnel, including both Serbs and Albanians. This is widely seen as Nato's bid to avoid having to use its own troops as a police force." (The Telegraph, 15 June 2008) [27a]

"Serbian and Russian opposition to Kosovo's Western-backed secession in February has left the new state staring at a patchwork of international oversight that could hinder its leaders for years to come. ... Russia says the transfer of powers and the deployment of the EU police mission are illegal without the green light from the U.N. Security Council resolution, to which Moscow holds the key." [11a] However, Jane' Sentinel Security Assessment for Kosovo, dated 24 June 2008, reported it's belief that UNMIK "...will be replaced by the EU force EULEX by October 2009, after legal problems centred around the ongoing mandate of Security Council resolution 1244 prevented its planned handover in mid-June 2008." [7c] However, *The Times* reported that "...the UN is expected to continue to play a role in the Serb enclave of north Mitrovica, where local Serbs have rejected Kosovo's independence." (The Times, 12 June 2008) [20c]

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ECONOMY

GDP: \$1.35bn – 2.02bn

GDP per head: US\$675 – 1,079 [3a]

Annual Growth: 3.5% (2007)

Inflation: 3.9% (2007) [7b]

Major Industries: Agriculture and micro-enterprises.

Major trading partners: Balkans region – 53%, EU – 18%, Turkey – 14%, US/Rest of the World – 15%. [3a]

“Kosovo is in the process of laying the foundations for a stable market economy. Under the guidance of UNMIK’s reconstruction programme, some economic reforms have been introduced and operating entities have been established, and the economy has begun to show signs of growth, with preliminary 2006 figures from UNMIK showing GDP growth of five per cent.” However, unemployment remains high “...(estimated at 40 per cent), and particularly high levels of youth unemployment (as high as 60 per cent), which are encouraging emigration. An associated problem is poverty. Kosovo is one of the poorest regions in Europe, with a per capita income of USD1,600 (EUR1,100).” (Jane’s Sentinel Country Risk Assessments, 12 June 2008) [7d]

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HUMAN RIGHTS

On 21 July 2008, the Kosovo Ombudsman’s office published its annual report. The report, presented by acting Ombudsman, Hilmi Jashari, stated that the level of human rights abuses, during the period 2007 - 2008, remained unsatisfactory with serious violations being recorded. Mr Jashari noted that the Ombudsman’s office had faced “...many obstacles during our actions to solve some cases...” The Ombudsman received “...over 8,800 complaints, mostly about ministries and courts, followed by municipal authorities and police service.” A lack of trust in the judiciary and the failure of the administration to ensure that ‘the rule of law’ protected individuals were cited as major problems. (Reliefweb, 21 July 2008) [32a]

The USSD report for 2007 noted that: “UNMIK and the PISG [Provisional Institutions of Self-Government] generally respected the human rights of residents; however, there were problems in some areas, particularly relating to minority populations. The most serious of these were cases of politically and ethnically motivated violence; injuries from unexploded ordnance or landmines; lengthy pre-trial detention and lack of judicial due process; corruption and government interference in the judiciary; societal antipathy against Serbs and the Serbian Orthodox Church; lack of progress in returning internally displaced persons to their homes; corruption in the PISG; violence and discrimination against women; trafficking in persons, particularly girls and women for sexual exploitation; societal violence, abuse, and discrimination against minority communities; societal discrimination against persons with disabilities; abuse and discrimination against homosexuals; and child labor in the informal sector.” [2a] (Kosovo, introduction)

In February 2008, before the hand-over of power to the Kosovan government, Human Rights Watch (HRW) highlighted its concerns about continuing human rights failures. [4a] Again, on 18 July 2008, HRW reiterated its concerns about Kosovo’s human rights record, stating that: “Violence, impunity for common and political crimes, intimidation and discrimination are commonplace.” [4d] The report cited four main areas of concern:

- The criminal justice system – political and ethnic violence continued to go unpunished.
- Roma, Ashkali and Egyptian communities remain marginalised and vulnerable to violence and discrimination.

- Kosovo's leadership's failure to adequately investigate of 400 plus missing Serbs.
- Domestic violence and trafficking of women. [4d] (HRW, 19 May 2008) [4b]

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Ethnic Minorities

The BBC reported on 15 February 2008 that: "Kosovo's Prime Minister Hashim Thaçi has vowed to protect the rights of all minorities as the province prepares to declare independence from Serbia." [6f] On election as Prime Minister, Mr Thaci made an attempt to reach out to Kosovo's minority Serb population by speaking in Serbian. He called upon the Serb population to consider Kosovo their home. (BBC News, 21 June 2008) [6a] CNN added: "Thaçi said he was establishing a new government office for minorities. 'Not a single citizen of the new independent Kosovo will feel discriminated against or set aside,' he said." [28b] The USSD report for 2007 noted that "During the year violence and other crimes directed at minorities and their property lessened but remained a problem." [2a] (Ethnic Minorities)

The 120,000 remaining ethnic Serbs are mainly located in the three northern municipalities of Leposavic, Zubin Potok, Zvecan; the most southerly municipality of Strpce, and in the northern half of the city of Mitrovice. (BBC News, 15 February 2008) [6e] (See Municipality Profiles below). The USSD report for 2007 noted that: "There were multiple reports of violence against Kosovo Serbs during the year, which was usually investigated by the international police unit, a unit composed of UN international police officers within the KPS that reports directly to the police commissioner, who is also an international staff member." [2a] (Ethnic Minorities)

Many Serbs left other parts of Kosovo after the March 2004 riots, in which seven Serbs were killed. (BBC News, 17 April 2007) [6g] Serbs have a higher membership within the Kosovan Police Service (KPS), at ten percent of a force of 7,200 officers, than their proportion of the total Kosovo population. (BBC News, 15 February 2008) [6e] "The problem is not so much one of fear of discrimination, although there is some of that. Above all, it is a language issue. Few Serbs speak Albanian." (BBC News, 15 February 2008) [6e]

Roma were subject to pervasive social and economic discrimination; often lacked access to basic hygiene, medical care, and education; and were heavily dependent on humanitarian aid for survival. Although there were some successful efforts to resettle Roma, Ashkali, and Egyptians in the homes they occupied prior to the 1999 conflict in Vucitrn/Vushtrri, security concerns remained." (USSD report for 2007) [2a] (Ethnic Minorities)

Lesbian, gay, bisexual and transgender persons

On the 8 April 2008 the Constitutional Commission of the Republic of Kosovo formally approved the new constitution (kushtetutakosoves.com, 7 April 2008) [31a] with it coming into force on 15 June 2008. (Reuters, 4 June 2008) [11a] Article 24 [Equality Before the Law] of the Kosovo Constitution states that: "All are equal before the law." And that no "...one shall be discriminated against on grounds of ...sexual orientation..." (kushtetutakosoves.com, 7 April 2008) [31a]

However, the US State Department report on Human Rights Practices (2007) noted that traditional societal attitudes about homosexuality were entrenched with most gays and lesbians feeling intimidated into concealing their sexual orientation. "Gays and lesbians generally felt insecure, with many reporting threats to their personal safety. The print media at times reinforced these attitudes by publishing negative articles about homosexuality that characterized gays and lesbians as mentally ill and prone to sexually assaulting children. Individual homosexuals also reported job discrimination. At least one political party, the Islamic-oriented Justice Party, included a condemnation of homosexuality in its political platform. On May 18 [2007], following a celebration of the International Day Against Homophobia outside Pristina, four males, three wearing dresses, were driving home when they were stopped by the police and forced out of their car. The police took them to a nearby police station, where, after compelling them to show their identification, officers made discriminatory and derogatory comments to them. The KPS did not open a file on this case, and the victims refused to give statements out of fear of further discrimination. The Center for Social Emancipation, a local NGO promoting lesbian, gay, bisexual, and transgender rights, stated that there were a number of other cases of discrimination against homosexuals during the year but that victims refused to allow it to present their cases publicly out of fear of discrimination. There were no updates in the March 2006 assault case involving unknown assailants who severely beat two men they observed engaging in homosexual sex. One of the victims later died of his injuries." [2a] (**Other societal abuses and discrimination**)

There was some evidence that the gay community were able to meet in gay-friendly establishments in Kosovo; the names and addresses of these are not usually widely publicised for fear of reprisals. The daily newspaper Epoka E Re published the name of a gay friendly restaurant near the university in Pristina that directly led to the attacks on three members of the lesbian and gay community. (Institute for War and peace reporting, 17 May 2007) [35a] Sources mention the existence of a fledgling support system with a number of gay organisations operating in the country, and a website (gaykosova.org) providing information and news. In addition, Metroweekly.com, based in Washington DC, reported that there were apartments operated by the Gay and Lesbian community in Kosovo to assist individuals who had experienced difficulties with their families. (metroweekly.com, 17 May 2007) [34a] (gaykosova.org, accessed 28 July 2008) [33a]

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Domestic Violence

On the 18 July 2008, Human Rights Watch noted that domestic violence and the trafficking of women remained a serious and persistent problem. [4d] "The KPS [Kosovo Police Service] reported that 53 victims of domestic violence were housed in shelters during the year [2007]. The Center for Protection of Women and Children provided assistance to 43 victims of domestic and sexual violence from January to August 30. The Ministry of Justice Victim Advocate and Assistance Unit was involved in 334 domestic violence cases between January and June. Although convictions in such cases were rare, sentences ranged from judicial reprimands to imprisonment. Traditional social attitudes towards women in the male-dominated society contributed to the high level of domestic abuse and low number of reported cases. There were no governmental agencies dedicated solely to dealing with family violence. Six shelters assisted victims of domestic violence and trafficking, including one run by an international NGO and designed for minors and two that admitted victims of both domestic violence and trafficking. The KPS reported that 66 victims of domestic

violence received shelter during the year. Several domestic and international NGOs pursued activities to assist women; however, they were constrained by a tradition of silence concerning domestic violence, sexual abuse, and rape.” (USSD report for 2007) [2a]

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Freedom of Speech

Freedom House’s 2007 “Freedom of the Press” report noted that:

“The media environment in Kosovo is regulated by the UN Mission in Kosovo (UNMIK) and the constitutional framework. While UNMIK, the NATO-led Kosovo Force, and Kosovo’s Provisional Institutions of Self-Government largely uphold press freedom, the media face a difficult operating environment owing to political pressure and financial difficulties. In January 2006, the Parliament passed legislation transferring authority over the public broadcaster, Radio Television Kosovo, from UNMIK to local government control and placed its budget under the direct control of the Ministry of Finance. Journalists faced indirect pressure and were offered bribes in exchange for positive coverage. Throughout the year, journalists were the victims of violence and harassment. In September [2006], a reporter with the daily *Lajm Ekskluzive* was assaulted by a security officer in the Kosovo assembly building. Lack of advertising funds leaves media outlets vulnerable to editorial pressure from government and business interests. The Pristina branch of the Albanian newspaper *Bota Sot* was closed down in November [2006] for failing to pay taxes, reducing the number of daily newspapers in Kosovo to nine. Media operating with foreign financial aid were more editorially independent and expressed a wider range of views, but they remained vulnerable to future fluctuations in foreign assistance.” [22b]

The USSD report for 2007 adds:

“UNMIK regulations and the constitutional framework provide for freedom of speech and of the press, and UNMIK and the PISG generally respected these rights in practice. However, there were reports of intimidation of reporters, including by officials in the public sector and government, and from politicians and businesses. The media also said they encountered difficulties and obstructions in obtaining information from the government and public institutions. Applicable law on broadcast media bans hate speech and speech that incites ethnic violence. Print media have a code of ethics and a self-regulatory body to deal with complaints related to newspaper articles. Individuals generally could criticize authorities publicly or privately without reprisal.” [2a] (Freedom of press and speech)

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3. Index to key source documents

(KB users - click source number to access document directly)

<p>KEY FACTS AND GEOGRAPHY</p>	<p>[2a] [2c] [3a] [6a] [7a] [7b] [7c] [9a] [14a] [25a]</p>	<p>United States, State Department, Country Report on Human Rights Practices, Serbia (including Kosovo) 2007, 11 March 2008 http://www.state.gov/g/drl/rls/hrrpt/2007/100583.htm</p> <p>United States Department of State, Background Note: Kosovo, last updated April 2008 http://www.state.gov/r/pa/ei/bgn/100931.htm</p> <p>Foreign and Commonwealth Office, Country Profile: Serbia, last updated 3 April 2008 http://www.fco.gov.uk/servlet/Servlet?pagename=OpenMarket/Xcelerate/ShowPage&c=Page&cid=1007029394365&a=KCountryProfile&aid=1019233722672</p> <p>BBC, Region Profile: Kosovo, Last updated 21 June 2008 http://news.bbc.co.uk/1/hi/world/europe/country_profiles/3524092.stm</p> <p>Jane's Sentinel Security Assessments, Summaries and Analysis, last updated 24 June 2008 Hard/Disc copy only</p> <p>Jane's Sentinel Security Assessments, Economy, last updated 12 June 2008 Hard/Disc copy only</p> <p>Jane's Sentinel Security Assessments, Security and Foreign Forces, last updated 18 June 2008 Hard/Disc copy only</p> <p>Central Intelligence Agency (CIA), The World Factbook, Kosovo (24 July 2008) https://www.cia.gov/library/publications/the-world-factbook/geos/kv.html</p> <p>United Nations Development Programme (UNDP), Kosovo Region Profile, accessed 29 July 2008 http://www.ks.undp.org/</p> <p>Department for International Development (DfID), Kosovo Country Profile, updated 9 July 2008 http://www.dfid.gov.uk/countries/europe/kosovo.asp</p>
<p>MUNICIPALITY PROFILES The OSCE maintain comprehensive profiles of all of the municipalities of Kosovo, including information about the Kosovo Police Force in the municipality, the ethnic composition, and health facilities.</p>	<p>[15a]</p>	<p>Profile of Deçan / Decani http://www.osce.org/documents/mik/2008/04/1181_en.pdf Date: 11 April 2008</p> <p>Profile of Dragash / Dragas http://www.osce.org/documents/mik/2006/06/1185_en.pdf Date: 23 April 2008</p> <p>Profile of Gjakovë / Dakovica http://www.osce.org/documents/mik/2008/04/1182_en.pdf Date: 14 April 2008</p>

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