Waters of Kosovo

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1. Introduction

Protection and rational use of water resources in Kosovo are some of major challenges that competent authorities are facing. Beside the fact that citizens are facing serious water scarcity for many years, there is also the problem of water resources pollution. This situation greatly affects the quality of citizens' life and increases environmental degradation, it also reflects on the socio - economic development in Kosovo.

Water plays an important role in the development of many sectors such as agriculture, energetics, tourism, mining. Along with the economic development, the demand for water is increasing, as well as the pressure on the environment, which challenges water quality.

The Government of Kosovo is aware of the significance of water as an essential resource for the future social and economic development, so they declared water as one of its priorities for the period 2013-2023². However, when it comes to effective protection and water supply, there is no sign of significant progress, especially in rural areas.

This brief analysis provides information about the current legislation and the state of water sector in Kosovo, and the degree of water pollution.

2. Legislative and institutional framework

During the past years in Kosovo, there is an ongoing process of adoption of EU standards in the field of environmental protection, including water sector. Some progress has been made, and numerous legal acts and subordinate legislation were enacted, as well as strategic documents in this field.

Law on Water no. 04/L-147 is the most important legal act regulating the use of water resources for public health, environmental protection and socio-economic development in Kosovo. The main objectives defined in Article 1 of this Law are protection of water resources from pollution, overuse and misuse, establishment of procedures and guiding principles for the optimal distribution of water resources and determination of the institutional structures for managing the water resources. There are some other important laws such as: Law no. 05/L-042 on Regulation of Water Services³ Law no. 02/L-78 on Public Health, ⁴ Law no. 04/L-232 on Kosovo Geological Service, ⁵ Law no. 02/L-79 on Hydro-Meteorological Activities, ⁶

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3 Law on Regulation of Water Services no. 05/L-042, available at: https://gzk.rks-gov.net/ActDetail.aspx?ActID=11350 4 Law no. 02/L-78 on Public Health, available at: https://gzk.rks-gov.net/ActDetail.aspx?ActID=2573 5 Law no. 04/L-232 on Kosovo Geological Service, available at: https://gzk.rks-gov.net/ActDetail.aspx?ActID=9387 6 Law no. 02/L-79 on Hydro-Meteorological Activities, https://gzk.rks-gov.net/ActDetail.aspx?ActID=2509



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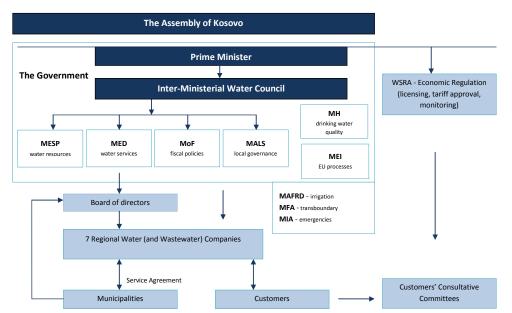


Law no. 05 / L-081 on Energy,⁷ Law no. 04 / L-016 on Energy Efficiency, etc. Laws in the field of environmental protection and agriculture are closely related to water sector, and there are some significant laws: Law no. 03 / L-025 Law on Environmental Protection,⁸ Law no. 03 / L-233 on Nature Protection,⁹ Law no. 02 / L-9 Law on Irrigation of Agricultural Lands¹⁰, and others.

Besides primary, efforts have been made for the development of secondary legislation as well. Ministry of Environment and Spatial Planning (MESP) with the assistance of the European Union Office in Kosovo has prepared Kosovo National Water Strategy Document, 2015-2034 which has not yet been adopted by the General Assembly. The National Water Strategy provides strategic objectives and the directions of water resource development for the period of 20 years. The implementation of the National Water Strategy will be achieved through the Water Action and Investment Plan for the period 2015-2034, which identifies priority projects in the short, medium and long term plan, and through Plan for Management of River Basins 2015 – 2034. According to the Kosovo Progress Report 2016, by European Commission, urgent efforts should be given to the establishment of the river management authority in order to start much-needed work on the preparation of river basin management plans. Besides Kosovo National Water Strategy Document, there are also The Strategy for Management of Rural Water Systems, Strategy and Action Plan for Biodiversity 2011 – 2020, Climate Change Strategy 2014-2024, and many other strategic documents relevant to the water sector.

In recent years, Kosovo established an adequate institutional structure in the field of environmental protection, including water sector. Ministry of Environment and Spatial Planning is the central governmental institution responsible for the development and implementation of policies in the field of water, water resources management and river basin coordination. The Law on Waters of Kosovo, established the Water Council of Kosovo in 2008, chaired by the Prime Minister of Kosovo and the members are relevant ministries. The Council is a decision-making body, which reviews systematic issues of Water Management, and proposes measures for the development, use and protection of resources and water system in Kosovo. Therefore, the water sector is connected with many other institutions, such as the Ministry of Agriculture, Forestry and Rural Development (MAFRD), Ministry of Economic Development (MED), Ministry of Finance (MoF), the Ministry of Administration and Local Self-Government (MALS), Kosovo Environmental Protection Agency, National Institute of Public Health. Hydro-meteorological Institute of Kosovo performs supervision of river waters in Kosovo. Water Service Regulatory Authority is an independent economic regulator for water and waste water services in Kosovo; duties and responsibilities of this sector include licensing of public enterprises providing water and wastewater services.

On the local level, based on the Law on Water, municipalities have the following duties and responsibilities regarding water management: issuing water permits pursuant to the bylaw on water permits and in accordance with the authorization by the Ministry of Environment, protecting from water damages, erosion and other harmful activities, managing flow regulation facilities in urban areas. Furthermore, according to the Law on Local Self-Government in Kosovo (No. 03/L-040), municipalities have the authority to provide public water supply services. They execute this authority through Agreements of Service they sign with relevant regional companies.



Picture 1 Institutional framework for water management in Kosovo

Source: "Extension and sustainable provision of drinking water supply services in Rural Areas in Kosovo", Government of Kosovo and Swiss Cooperation Office in Kosovo

7 Law no. 05 / L-081 on Energy, available at: https://gzk.rks-gov.net/ActDetail.aspx?ActID=12689 8 Law no. 03 / L-025 on Environmental Protection , available at: https://gzk.rks-gov.net/ActDetail.aspx?ActID=2631 9 Law no. 03 / L-233 on Nature Protection , available at: https://gzk.rks-gov.net/ActDetail.aspx?ActID=2716 10 Law no. 02 / L-9 on the Irrigation of Agricultural Lands, available at: https://gzk.rksgov.net/ActDetail.aspx

A step towards the EU, or not?

One of the objectives of the National Water Strategy 2015-2034 is "to achieve long-term compliance with the requirements of the European Union legislation in the water sector, initially through the introduction of compatible systems of legislation and planning, and thence through the stepwise application of practical implementation measures." Legal framework in the water sector is amended in 2013 with the adoption of the Law on Water, which is in accordance with the Water Framework Directive 2000/60 / EC. However, transposition with other relevant directives in the water sector is at the beginning, and a particular problem is ineffective implementation of laws, bylaws and other regulations. The following table provides data on the purpose of separate directives, year of adoption and their transposition into Kosovo's domestic legislation:

	European Union Directive	Transposition with domestic legislation (%)			
1.	Water Framework Directive (2000/60/ EC)	49%			
2.	Urban Waste Water Treatment Directive (91/271/EEC)	44%			
3.	Drinking Water Directive (98/83/EC)	87%			
4.	Nitrates Directive (91/676/EEC)	25%			
5.	Bathing Water Directive (2006/7/EC)	0%			
6.	Directive on Environmental Quality Standards in the Field of Water Policy (2008/105 EC)	4%			
7.	Directive on Technical Specifications for Chemical Analysis and Monitoring of Water Status (2009/90 EC)	12%			
8.	Groundwater Directive (2006/118/ EC)	36%			

Table1 EU directives for water quality and level of transposition with domestic legislation (2015)

Source: Report on the state of water 2015

It should be noted that legislation in the field of agriculture is very important for the water sector, but a certain transposition with EU laws remains the same. Thus, the Law no. 02 / L-9 on the Irrigation of Agricultural lands, Law no. 03 / L-198 on the Amendment to the Law on Irrigation of Agriculture Lands, and Law no. 02 / L-85 Law on Fishery and Aquaculture, are not in transposition with EU legislation. The implementation of all relevant administrative instructions for the water sector, which will move Kosovo legislation close to *Acquis Communautaire* of European Union, requires huge investments, which are currently provided from the Kosovo Government's budget or through donor support.

3. The current state of waters in Kosovo

Water resource management and preserving water resources are of vital importance for every society because of its invaluable importance for the survival of all living beings but also as an important factor for sustainable socio - economic development. So far, Kosovo does not meet the necessary requirements when it comes to unlimited water supply, collection and treatment of waste water, irrigation, flood and erosion management, and river and groundwater pollution contribute to increasing environmental degradation and degradation of the quality of life of citizens.

Water resources of Kosovo include surface water and groundwater, and sources of water. Drinking water is mainly provided by the surface water. Regarding the rivers, the hydrography of water flows of Kosovo is split into five river basins: Bardhe (Adriatic Sea basin), Ibar (Black Sea basin), Lepenac (Aegean Sea), Binačka Morava (Black Sea basin), Plava River (Adriatic Sea). There are a small number of natural lakes, and six artificial accumulation sites meet the water demand, not only for drinking, but for industrial and agricultural needs as well. As for the amount of water accumulated, the largest lake is the Gazivode Lake,¹¹ formed by the damming of the Ibar River in the municipality of Zubin Potok, with the volume of 390 million m3 of water.¹² The Gazivode Dam is one of the largest dams in Europe

11 Gazivode Lake is 24km long accumulation of 380 million m3 of water a lesser extent (about one third) located in the municipality of Tutin and Novi Pazar, and with the major part in the municipality of Zubin Potok. 12 Spatial Plan of Kosovo, Spatial Development Strategy, 2010 – 2020, available at: http://www.kryeministriks.net/repository/ docs/Spatial_Plan_of_Kosova_2010-2020.pdf, p. 38 with a length of 460m and a height of 107m. Water from this lake is conducted through canals to Pristina, where it is used for water supply, as well as cooling of turbines of thermal power station in Obilic. Beside Gazivode Lake, the main artificial accumulations in Kosovo are Batllava Lake, Badovac Lake, Livoc Lake, Radoniq Lake, Prelepnica Lake. The quality monitoring system of surface water exists, but it is necessary to modernize it.

The main reserves of groundwater are limited and located in the western part of Kosovo, where reserves of surface water are also greater compared to the eastern and southeastern parts¹³. According to the recommendations of the European Commission in Kosovo Progress Report for 2016, work needs to begin on identifying groundwater resources and establishing the groundwater monitoring system. Therefore, in order to ensure progress in the supply of high quality water for all citizens in Kosovo, more efforts are necessary.

The main hydrological problem in Kosovo is inadequate and unequal distribution of water resources. Equal and unlimited water supply in urban and rural areas in Kosovo remains to be a problem for which the authorities have not found solution. Currently, 81.2% of Kosovo's population is supplied with drinking water from functional water supply systems. While urban population has 100% coverage with public water supply systems, the percentage of rural population coverage is at 69.7%¹⁴. In the rural areas population has no access to the public water supply system or they have non-operational public water supply systems. In addition, access to sewage system is also a problem, especially in rural areas. As much as 65% of the total population lives in settlements with a sewage system, whereas only 42% of the rural population has access to a sewage system.¹⁵

The cntral public company "Ibar - Lepenac" operates in Kosovo, with the infrastructur in seven municipalities: Zubin Potok, Mitrovica, Vucitrn, Obilic, Pristina, Kosovo Polje and Glogovac. This multifunctional enterprise supplies water to several regional water supply systems in Kosovo, supplies water for irrigation of agricultural land and industrial systems (Trepca, Kosovo B, A and Kosovo Feronikl), and produces electricity.¹⁶ During the period 2002-2006, seven regional companies were established for water supply and sewage system, and two regional irrigation companies:

- 1. Regional Water Company "Pristina", Pristina
- 2. Regional Water Company "Hidroregjioni Jugor" Prizren
- 3. Regional Water Company "Hidrodrini", Pec
- 4. Regional Water Company "Mitrovica", Mitrovica
- 5. Regional Water Company "Radoniqi", Djakovica
- 6. Regional Water Company "Hidromorava", Gnjilane
- 7. Regional Water Company "Bifurkacioni", Urosevac

Water treatment plant in Orlovici, Pristina was established in March, 2017, as a part of Regional Water Company Pristina. This factory will supply Pristina municipality with water, but also six municipalities connected with this regional water supply. Funds for this project come from IPA fund in the amount of EUR 5 million, the municipality of Pristina – EUR 5 million, Government of Kosovo – EUR 5 million, and a loan from the German Development Bank in the amount of EUR 20 million.

Besides regional water supply companies, there are two regional companies for irrigation:

¹³ Report on State on Water Kosovo 2015, Ministry of Environment and Spatial Planning, available at http://www.ammkrks.net/repository/docs/Raporti_i_ujrave_i_2015__Anglisht.pdf, p. 30.

¹⁴ The Strategy for Management of Rural Water Systems, November 2014, available at http://www.kryeministri-ks.net/ tfu/repository/docs/Strategy_for_Management_of_Rural_Water_Systems_approved_by_IMWC.pdf, p. 21. Municipalities from North Kosovo were not considered due to the lack of accurate data.

¹⁵ Coverage Study and Assessment of Water Supply and Sanitation Systems in Kosovo, Swiss Cooperation Office Kosovo, 2012, available at https://www.eda.admin.ch/content/dam/countries/countriescontent/kosovo/en/resource_en_213474. pdf, p. 6.

¹⁶ http://www.iber-lepenc.org/?page=3,1,22#.WPTxJfmLTIU

2. Regional Irrigation Company Radoniqi-Dukagjini

The amount of water spent for irrigation in agriculture system has undergone significant changes from year to year. The following table presents the time series of data for irrigation in agriculture:

Table 2 Irrigation in agriculture in Kosovo , 2002-2014

Year	2014	2013	2012	2011	2010	2009	2008	2007	2006	2005	2004	2003	2002
Agriculture irrigation system (mil m3/year)	55	52	50	46	42	40	44	41	39	36	33	36	34

Source: Kosovo Water Statistics 2015

The irrigation systems in Kosovo are facing the problem of aging infrastructure and declining revenues to maintain and repair irrigation structures. The overall revenues collected from irrigation business can neither cover the operational and maintenance costs nor the capital investment costs. The other serious problem the irrigation companies are facing is the large number of small illegal irrigation systems. These systems have been built upon the initiative of an individual or a group of local farmers.¹⁷

In North Kosovo (Mitrovica North, Leposavic, Zubin Potok and Zvecan) there are several public water supply companies which operate within the system of the Republic of Serbia. Public company "Vodovod Ibar", Mitrovica North is responsible for water supply in the municipalities of Mitrovica North and Zvecan. These two municipalities are supplied with water by the Regional Water Company "Mitrovica" through water factory which is located in Shipol (Municipality of South Mitrovica). Municipalities Zubin Potok and Leposavic have their own water supply systems; Public Utility Company "Ibar" in Zubin Potok and Public Utility Company "24 Novembar" Leposavic. Water treatment plant was set up in Leposavic, with the help of donors, but it does not work.

In order to solve the problem of water supply, municipalities Zubin Potok, Zvecan and North Mitrovica raised a loan for the construction of the regional water supply system which would supply these municipalities with drinking water from the Gazivode Lake. Overall value of the project is over EUR 10 million. Within the framework of the project, regional water supply company was established, which will manage this system in the future.

The existing infrastructure for water supply in Kosovo is insufficient to meet the needs for drinking water, and water for household maintenance. Furthermore, the state of the infrastructure is bad and affects the efficiency of water supply. Water pipes are obsolete, leading to water leakage and hence to lower efficiency and a higher risk of contamination. Some of the pipes are replaced, as a result of donor investments.

Generally, there is no wastewater treatment in Kosovo. Wastewater is usually discharged directly into rivers and it is one of the main surface water pollutants. The only wastewater treatment plant is located in Srbica and it is not functional due to technical and financial problems. Wastewater treatment plant does not exist in North Kosovo, so sewage flows directly into the Ibar River. As a result of the feasibility studies for wastewater it is estimated that the total cost for the construction of facilities for the entire Kosovo will be EUR 517 million.¹⁸ Public service coverage of wastewater collection provided by regional water companies in 2013 was 60%, which marked an increase of 4% compared to 2012.¹⁹

Flood Risk Management Planning in Kosovo is a process that is at the very beginning. Properly defined plans for flood risk management do not exist, and it is necessary to develop and define measures for the reduction and mitigation of

¹⁷ Strategija za vode Kosova, available at http://www.kryeministriks.net/tfu/repository/docs/Kosovo_Water_Strategy_-_ Version_2_95a.pdf, p. 104.

¹⁸ Report on State on Water Kosovo 2015, Ministry of Environment and Spatial Planning, available at http://www.ammk-rks. net/repository/docs/Raporti_i_ujrave_i_2015__Anglisht.pdf, p. 90.

¹⁹ Report on State on Water Kosovo 2015, Ministry of Environment and Spatial Planning, available at http://www.ammk-rks. net/repository/docs/Raporti_i_ujrave_i_2015__Anglisht.pdf, p. 88.

risk. Preliminary assessments for flood risk are not conducted, although a few small projects are implemented. For some individual river basins there are flood risk management planning but there is no unique methodology that could be applied to all river basins.

Important investments have been made in the water sector by the Government of Kosovo and foreign donors. Investment by the Government of Kosovo focused on regulation of rivers and improvement of water infrastructure especially for water and wastewater services. Donor investments also focused mainly on improving water sector services and feasibility studies for water treatment infrastructure. The main foreign donors in the water sector in Kosovo include Swiss Cooperation Office, European Union, GIZ, KfW Development Bank, JICA, DANIDA, IOM, USAID, the Government of Luxembourg and others. Based on available data, total investments in the water sector since 1999 amount to EUR 255.77 million, out of which EUR 189.9 million were donations.²⁰ According to European Union standards, it is estimated that it will take at least EUR 60 million per year in the next ten years for Kosovo approximation to these standards.²¹

4. Water resources pollution

Population growth, urbanization, demands of industry and agriculture, climate change may increase the demand for water. But the impact on biological, chemical and physical characteristics of the water, which reduce its quality, must not be neglected. Water quality plays a central role in human life and the entire ecosystem. Drinking water should not contain biological, chemical and physical contaminants. Regional Environmental Center (REC) in cooperation with MESP prepared the Water Polluters Cadastre in Kosovo,²² where in total 368 water polluters were registered. Out of this number, 266 are collective polluters,²³ whereas 102 are individual polluters.²⁴

In the region of the watercourse of the Bardhe River, 154 polluters were identified, 99 are collective polluters and 56 are individual polluters. In the regions of Ibar River, Lepenac and Binacka Morava watercourses, 100 polluters were identified, 75 were collective polluters and 25 individual polluters. The watercourse of Binacka Morava and Lepenac has 24 polluters.

The table below shows the number of collective and individual polluters in the region of Mitrovica.

Region	Municipality	Collective Polluters	Individual Polluters	
	Mitrovica	13	6	
	Vučitrn	10	3	
	Srbica	1	0	
Mitrovica	Leposavic	5	0	
	Zvečan	3	0	
	Zubin Potok	7	0	
Total		39	9	

Table 3 Collective and individual polluters in the region of Mitrovica

Source: Kosovo Water Polluters Cadastre, Ministry of Environment and Spatial Planning

²⁰ Report on State on Water Kosovo 2015, Ministry of Environment and Spatial Planning, available at http://www.ammkrks.net/repository/docs/Raporti_i_ujrave_i_2015__Anglisht.pdf, p. 96.

²¹ Severno Kosovo u 2020 – Buduće istorije u nastajanju, p. 58

²² Izveštaj Katastra zagađivača voda na Kosovu, REC, MŽSPP, available at http://www.ammk-rks.net/repository/docs/ Kadastar_zagadivaca_vode_sr.pdf, p. 17.

²³ Collective polluters according to project all polluters or settlements with over 50 households and have organized sewerage or joint septic tanks.

²⁴ Individual's polluters are operators which are greater potential polluters such as industry, agriculture, auto-waste or large chemical cleaners.

The main industrial polluters are Kosovo Energy Corporation (KEK), Feronikl (production of nickel alloys and iron), cement factory Sharrcem, as well as the Trepca and Kisnica mining complex. Trepca was once the backbone of the economy in Kosovo, but today it is one of the biggest environmental challenges. In the full operational capacity, Trepca's discharge of polluters in the water was estimated at 150 tons/year lead, 300-900 tons/year zinc, 900 tons/ year fluoride, etc.²⁵ Even though most of Trepca's mining and metallurgical plants are out of operation, acids, dust particles, unsecured operation and poorly maintained and unstable tailing ponds represent a daily danger to those living nearby.

In addition to industry, agriculture is a significant user of water resources but also one of the biggest polluters. Agricultural activities largely affect the quality of water, especially through the effects of agrochemicals (pesticides, fertilizers, etc.) which dissolves in rivers and groundwater. Agricultural producers use agrochemicals inadequately and with no control, which contributes to a more serious contamination of water resources.

The longest and most polluted river in Kosovo is the Sitnica, a 90 km long river that flows into the Ibar River. In the area around the river Sitnica agriculture is the most common activity.²⁶ The average quantity of used organic fertilizers is much lower than the rate of use in many EU member states,²⁷ which is in line with the fact that agricultural development is still on the low level in Kosovo. Intensification of agricultural production must be accompanied with agricultural-environmental and efficiency measures to minimize pollution risk and to maximize added value.

5. Conclusion and recommendations

Despite established appropriate institutional structures in the water sector in Kosovo, harmonization of laws and by-laws with the EU acquis, as well as the adoption of the National Water Strategy remain top priorities. Equal supply of quality drinking water in urban and rural areas is a problem now with no signs of a recent solution. The current state concerning the degree of pollution of water resources in Kosovo does not look optimistic, regardless of the steps taken to improve the protection and rational use of water resources. Number of polluters is high, and the lack of a system to monitor the quality of groundwater and the obsolescence of a system for monitoring of surface water quality are some of the major problems in this sector. Particular attention should be paid to the importance of the construction of water infrastructure, especially facilities for waste water treatment as well as modernization of existing water and wastewater infrastructure.

Previous investments in the water sector are not negligible, but for the significant progress in approaching the EU, adequate water supply and protection of water resources will require significantly higher investment. Further efforts will be required in the future in order to reduce the negative impact on the environment and public health, and for rational use of water resources for social and economic development in Kosovo.

Based on all this, the following recommendations can be proposed:

• Significant efforts should be invested in order to increase the efficiency in water supply in Kosovo, both for drinking and technical water (especially water for irrigation). Capacity of water supply companies must be stronger and solution can be found in the privatization of these enterprises, public-private partnerships or concessions. In the process of management of the public irrigation companies, farmers need to take part through cooperatives and associations.

• In North Kosovo, it is necessary to complete the works on the regional water supply system that will enable the supply of drinking water to the municipalities of Zubin Potok, Zvecan and Mitrovica North. Furthermore, conditions for cooperation between regional enterprise that will manage this system and the Regional Water Supply Company "Mitrovica" from Mitrovica South must be provided.

²⁵ Upravljanje industrijskim otpadom Kombinata Trepča, UNDP 2011. available at http://www.undp.org/content/dam/ko-sovo/docs/TrepcaConf/TREPCA%20Conf%20Report_Serb.pdf, p. 9.

²⁶ The effects of industrial and agricultural activity on the water quality of the Sitnica river, University of Prishtina, Faculty of Agriculture and Veterinary, Agricultural University of Tirana, Albania, Hydrometeorological Institute of Kosovo, p. 1

²⁷ Report on State of Water 2015, Ministry of Environment and Spatial Planning, available at http://www.ammk-rks.net/re-pository/docs/Raporti_i_ujrave_i_2015__Anglisht.pdf, p. 89.

• Significant efforts are needed in order to protect watercourses from waste water and illegal dumps which are often located near to rivers. Therefore, a more significant assistance is needed from the European Union, as well as bilateral and international organisations and international financial institutions in developing strategies and action programs and financing the necessary infrastructure.

• It is necessary to continuously work on raising public awareness of the need to protect the environment, especially water and rivers. This requires cooperation with broader social circles, from educational institutions (schools, kindergartens, etc.), through civil society organizations to business entities.

InTER – Institute for Territorial Economic Development – is an independent nongovernmental think tank with the mission to promote and improve sustainable socio-economic development in the Western Balkans.

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