### LANGUAGE RIGHTS



# THE USE OF THE SERBIAN LANGUAGE IN LOCAL INSTITUTIONS IN NORTHERN KOSOVO





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#### **INTRODUCTION**

Language is one of the key elements of the cultural and national identity of each community, but also a fundamental human right guaranteed by international and domestic legal instruments. The right to use one's mother tongue in public institutions, administrative processes and the legal system plays a crucial role in ensuring equal access to public services and the integration of all ethnic communities into social and political life. However, in practice, the realization of this right often faces challenges, especially in multi-ethnic environments such as northern Kosovo, where various non-majority communities live.

Although the Law on the Use of Languages in Kosovo guarantees equal status for Albanian and Serbian in official communication and use in institutions, numerous studies and reports indicate that the implementation of this law is inconsistent. Research conducted by the International Organization for Migration (IOM) in 2023 shows that the Serbian language is in many cases not used in accordance with legal provisions, which is a serious problem for the Serbian community, but also for other non-majority groups, such as Kosovo Turks, Roma, Bosniaks and Croats. This situation directly affects the exercise of citizens' rights to access information and administrative services in their mother tongue, leading to a feeling of marginalization and institutional invisibility.

Previous research conducted by the OSCE has highlighted the numerous difficulties faced by members of non-majority communities in exercising their language rights. The results of a 2014 citizen survey showed that as many as 28% of respondents were unable to exercise their right to services in their mother tongue, while 50% had problems obtaining written documents in Serbian. These problems are particularly pronounced in the municipalities of North Mitrovica and Leposavić, where there has been a clear decline in the number of bilingual documents and translation services. <sup>2</sup>

The withdrawal of Serb representatives from institutions and the boycott of local elections in 2022 have led to the dominance of Albanian administrative services in northern municipalities, significantly reducing the availability of public

services in the Serbian language. This change has further hampered the exercise of linguistic rights by non-majority communities.

An additional challenge is the decreasing number of younger municipal employees who speak Serbian, which makes everyday communication between citizens and institutions more difficult. The lack of adequate interpreters at official events, as well as administrative inefficiency in providing bilingual official documents, point to systemic problems in the implementation of the Law on the Use of Languages. These shortcomings were also confirmed by the Office of the Ombudsman during a roundtable on the respect of linguistic rights in Kosovo last year, emphasizing that the lack of Serbian-speaking employees, as well as inadequate translation support, is one of the key factors that hinder the exercise of the rights of non-majority communities. These challenges not only complicate access to basic services, but also contribute to social isolation and a sense of exclusion of members of these communities from institutional life.

This research is part of the project "Voice of the Language: Monitoring the Implementation of the Serbian Language in Local Institutions", funded by the Office of the Language Commissioner, Office of the Prime Minister, and aims to analyze the state of respect for the linguistic rights of non-majority communities in northern Kosovo, examine the implementation of legal regulations in practice and identify key challenges faced by citizens. Through the analysis of the legal framework, citizens' attitudes and institutional practices, the research seeks to provide answers to key questions: Are non-majority communities enabled to use their mother tongue in institutions? What are the main problems in the implementation of the Law on the Use of Languages? What measures could contribute to improving the respect for linguistic rights and ensuring equal access to public services for all ethnic communities?

In line with these objectives, the research not only contributes to a better understanding of the problems in the exercise of language rights, but also provides concrete recommendations for improving institutional practices and promoting the right to use one's mother tongue in accordance with legal norms.

#### LEGAL FRAMEWORK

The protection and promotion of language rights in Kosovo are based on a legal framework that recognizes language as a fundamental human right. **Law No. 02/L-37** <sup>4</sup> on the Use of Languages guarantees the right of all communities to use their mother tongue in public institutions and administrative procedures, in accordance with the democratic principles of multilingualism. This law sets clear obligations for state and local institutions regarding the use of language in official communication, the provision of services and ensuring equal access to information.

#### Official languages and their application

According to **Article 2.1**, the Albanian and Serbian languages, <u>together with their respective alphabets</u>, have equal status and are used equally in all institutions of Kosovo. This provision means that all citizens have the right to address central and local institutions in either of these two languages and to receive answers, documents and administrative services in the language of their choice.

In addition, **Article 4.1** stipulates that the official languages must be used in the work of all central institutions, while **Article 4.2** specifies that institutions have the obligation to provide services and issue public documents in both official languages. Also, **Article 4.3** requires that all important meetings, sessions and official events must be available in both languages through simultaneous translation.

#### Languages at the municipal level

The law also recognizes the rights of non-majority communities to use their languages in municipalities where they constitute a significant portion of the population. **Article 2.3** stipulates that any language spoken by at least 5% of the population of a given municipality shall be granted the status of an official language in that municipality, meaning that it must be used in official communication, administrative procedures, and the issuance of documents.

Additionally, **Article 2.4** stipulates that in municipalities where a particular language is spoken by more than 3% of the population, that language is given the status of a language in official use. This means that citizens have the right to use it in communication with institutions, while municipalities are required to adopt regulations about its use. An exception to these rules is the municipality of Prizren, where Turkish has the status of an official language regardless of the number of speakers.

#### Institutional obligations and practice

Although the law provides for the widespread use of official languages, its implementation in practice is not always consistent. **Article 5.3** requires that all official signs, road signs, institutional signs and street names be available in both official languages. However, numerous reports indicate that in many municipalities this provision is not fully implemented.

The law also recognizes the importance of access to education and information in the mother tongue. **Article 6.2** requires educational institutions to provide education in both official languages, while **Article 6.3** stipulates that all laws, decisions and other legal acts be translated and made available in Albanian and Serbian.

Although the Law on the Use of Languages provides a strong legal framework for the protection of language rights, problems in its implementation remain, which makes it difficult to exercise the rights of non-majority communities and undermines the principle of equal access to public services.

#### RESEARCH METHODOLOGY

- 1. Online surveys;
- 2. Focus groups;
- 3. Interviews.

This research was conducted using a mixed methodology, combining qualitative and quantitative research methods. The target group of the survey was citizens of northern Kosovo municipalities, 5 interviews were conducted with representatives of two municipalities: North Mitrovica and Leposavić, while the

participants in four focus groups were representatives of citizens, civil society, and institutions from northern Kosovo.

#### **DEMOGRAPHY**

#### **Online survey**

The research was conducted through an online survey created in Google Forms, which was open for two months. The survey was distributed using the snowball sampling method, with respondents forwarding the survey to their acquaintances. The aim of the research was to gain insight into citizens' attitudes based on their answers to pre-defined questions. Below is a demographic overview of the respondents.



#### Focus groups

Four focus groups were organized in January and February with a total of about 40 participants from four different ethnic communities. The aim of the focus groups was to collect personal experiences and views that the participants expressed independently.

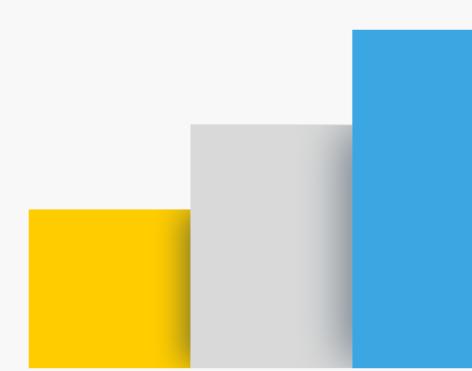
#### **Interviews**

This part of the research is focused on municipal officials and their experience with linguistic minority rights in their work. A total of 5 face-to-face interviews were conducted with 5 representatives of the municipalities of North Mitrovica and Leposavić. Respondents answered orally a pre-designed series of questions. Most respondents chose to remain anonymous.

For the purposes of this part of the research, we found 3 officials from the municipality of North Mitrovica and 2 from Leposavić, of which 3 were women and 2 were men, 3 from the Serbian community, 1 from the Bosniak community, and 1 from the Albanian community.

This part of the research was particularly challenging, as it was difficult to find municipal employees willing to answer questions, and almost impossible to find those willing to publicly speak out under their own names. The fact that many declined an interview invitation or the opportunity to be named, out of fear for their professional position, can also be seen as an indicator of the current state of affairs in municipal institutions.

# **RESULTS**



#### Online survey

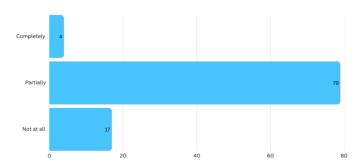
This research confirmed that there is still a problem in the field with respect for the linguistic rights of non-majority communities. According to the responses, we can see that members of non-majority communities resort to using English or Albanian, because they sometimes cannot communicate in their native language



What language do you most often use in communication with institutions?

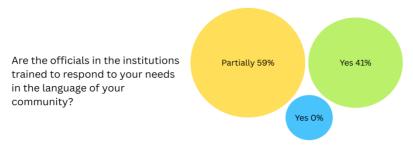
As many as 79% of respondents said that institutions in northern Kosovo only partially meet the requirements for communication in their native language, while 17% of respondents say that institutions do not enable communication, and only 4% fully communicate with institutions in their own language.





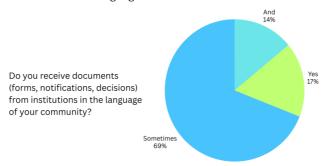
This problem becomes more personal when we look at the results of the following question, where the majority of responses show that officials in

institutions are only partially trained to respond to the needs of non-majority communities in their mother tongue, which makes 59% of the total number, and 41% of respondents believe that the officers are not trained at all, while no respondent gave a positive answer.



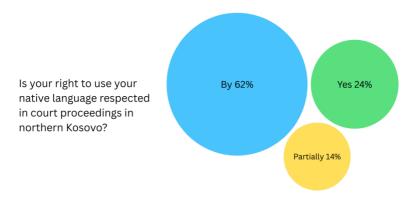
An additional problem is that 17% of people do not receive documents from institutions in their native language. This means that they are denied the right to understand the official documents they receive, which could further lead to deeper problems such as delays in fulfilling their obligations and bearing the consequences for the institutions' mistakes directly.

Of the total number of respondents, 69% say that they receive documents in their native language only sometimes, and only 14% regularly receive all documents in their native language.



Most tell us that their right to use their native language is only partially respected in court proceedings in northern Kosovo.

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In the Constitution of the Republic of Kosovo, the Serbian language is recognized as an official language throughout the territory, equal to Albanian, which means that all information provided by institutions must be available in Serbian. Although the law guarantees the right to use the Serbian language, in practice, this is clearly not implemented and respected. Among the respondents are 7% Gorani and 3% Bosniaks, who live in northern Kosovo. Due to the impossibility of completing the census, it is not possible to determine exactly what percentage of the population these two communities make up, and therefore they are not guaranteed the right to use their native language in institutions in northern Kosovo. For this reason, these communities, together with the Roma community from northern Kosovo, mostly use Serbian, which further leads to the conclusion that the failure to respect the right to use the Serbian language in institutions by these same institutions causes harm not only to the Serbian community, but also beyond that.

The fact that as many as 62% of respondents responded that institutions only partially respond to the need for translation and interpretation, while 28% of them stated that this is not done at all, shows the additional depth of the problem.

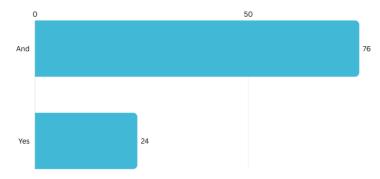
Do institutions provide adequate translation or interpretation when needed?

Partially 10%

This tells us that non-majority communities living in northern Kosovo are denied not only the right to direct communication with institutions, but also the right to translation and interpretation when necessary.

As a logical consequence, we come to the data that a huge number of 76% of those surveyed have at least once felt discriminated against in institutions based on language.

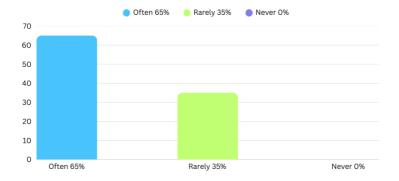
Have you ever felt discriminated against based on language in institutions?



Based on the following data, we can conclude why this number is so high. More than half (65%) point out that they often experience difficulties in communicating with institutions due to language, and there is not a single person among the respondents who has never had a problem of this nature.

62%

How often do you have difficulties communicating with institutions due to language?



Respondents shared personal experiences in which they felt discriminated against because of their language through open-ended questions, and their responses indicate frequent problems in various institutions. Most reports relate to the police, municipalities, courts, notaries and ministries, where citizens were forced to communicate in Albanian or hire an interpreter at their own expense.

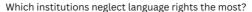
Problems with notary services were particularly highlighted, with some respondents having to pay additional fees for translation, even though the official spoke Serbian. Some also encountered refusal to communicate in Serbian when obtaining documents, applying for citizenship, or addressing state institutions.

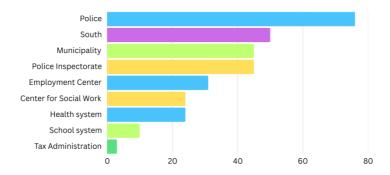
Some respondents also reported having to wait longer to be served, while others attempted to communicate in English but were not understood. These findings indicate serious obstacles to the exercise of the right to use one's mother tongue and the need for more consistent implementation of the Law on the Use of Languages.

In order to more precisely identify key problems in the implementation of language rights, respondents had the opportunity to list the institutions that, in their opinion, most neglect these legal obligations.

These findings provide a deeper understanding of institutional challenges and indicate areas where improvement is needed. Analysis of the responses reveals clear patterns in citizens' perceptions and provides insight into the sectors

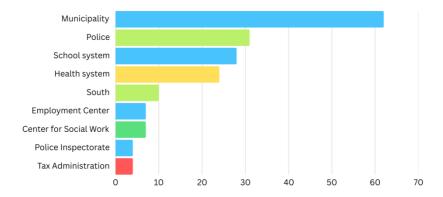
where problems in exercising the right to use their mother tongue most frequently occur.





The majority of respondents (76%) believe that the police are the ones who ignore language rights the most, while 55% of them point out the court as an institution that does not respect legal provisions on the use of language. Municipalities and the police inspectorate share third place with 45% of respondents each believing that these institutions do not provide adequate services in the mother tongue. The Employment Center (31%) and the Social Welfare Centers (24%) are also identified as problematic institutions in this context, while the health system receives the same rating (24%). The school system is recognized as less problematic compared to other sectors, with 10% of respondents believing that it does not respect language rights, while the fewest respondents (3.4%) cited the Tax Administration as an institution that ignores this right. These data clearly indicate the sectors in which the challenges in implementing the Law on the Use of Language are most pronounced, confirming the need to improve institutional practices related to the exercise of citizens' language rights.

Which institutions do you consider the most accessible in terms of language rights?



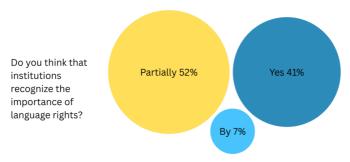
Contrary to previous findings, respondents also rated which institutions they considered most accessible in terms of respecting language rights. The majority of respondents (62%) considered municipalities to be the most accessible when it comes to the use of the mother tongue, while 31% of them highlighted the police as an institution that enables communication in multiple languages. The school system (28%) and the health system (24%) were also rated relatively positively compared to other institutions.

On the other hand, the judiciary was recognized as less accessible in terms of language, with only 10% of respondents labeling it as an institution that respects language rights. Social work centers and employment centers were rated even lower (7% each), while the tax administration and police inspectorate were at the bottom of the list with 4% support each.

These results indicate that, although certain institutions, such as municipal administrations, are rated as the most problematic in terms of neglecting language rights, at the same time, the majority of respondents recognize them as the institutions that most enable the use of the mother tongue. This finding may indicate uneven practice within the same institutions, where some sectors or individual employees enable communication in the mother tongue, while others do not fulfill this legal obligation. These data further confirm the need for a systemic approach in improving the implementation of the Law on the Use of

Languages, in order to ensure consistency in service provision at all levels of institutions.

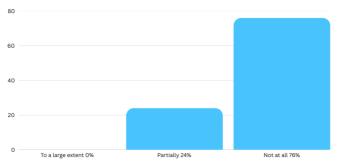
However, when asked about the extent to which institutions recognize the importance of language rights, the majority of respondents (52%) believe that they partially respect it, while 41% believe that institutions do not recognize this aspect at all.



Only 7% of respondents believe that language rights have full institutional support.

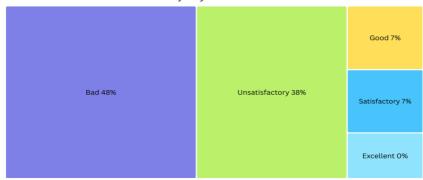
The reason for the lack of respect for language rights and the dissatisfaction of non-majority communities can be partially explained by the results of the following responses, where as many as 76% of respondents believe that non-majority communities do not participate at all in the decision-making process on language rights, while no respondent believes that their participation is significant.

In your opinion, how involved are non-majority communities in the decision-making process on language rights?



The remaining 24% believe that non-majority communities participate partially in this process.

How do you assess the current level of respect for the linguistic rights of non-majority communities?



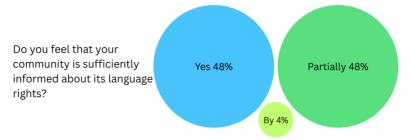
Respondents express obvious dissatisfaction and point to practices of non-implementation of legal provisions on the language of non-majority communities in institutions in northern Kosovo.

Almost half (48%) of the respondents rate the current level of respect for the linguistic rights of non-majority communities as **poor**, slightly less than that (38%) as **unsatisfactory**, 7% each as **good** and **satisfactory**, while the option **excellent** has no votes.



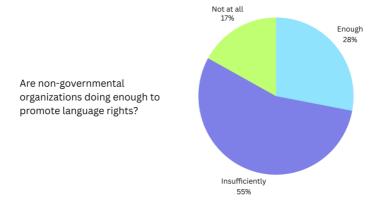
However, the overwhelming majority (93%) still think that a solution exists and that training officials on language rights would be useful, while only 7% of respondents hopelessly believe that it would not change the situation.

The next problem that is raised as relevant is that the majority believes that their community is either partially (48%) or insufficiently (48%) informed about their linguistic rights.



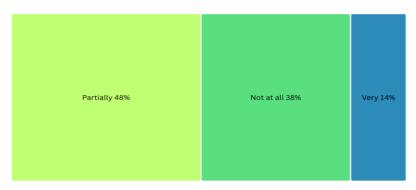
Interestingly, a large number of respondents believe that non-governmental organizations, the media, and local leaders are not sufficiently committed to promoting and resolving problems related to language rights.

Only 28% of respondents believe that non-governmental organizations pay enough attention to this issue. Most believe that they do not work at all (17%) or not enough (28%).



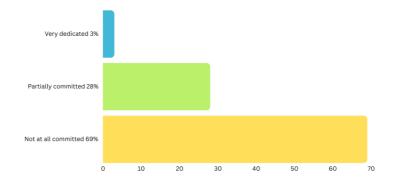
More than a third of respondents (38%) believe that the media in northern Kosovo are not at all involved in the promotion of language rights.

How involved are the media in northern Kosovo in promoting language rights?

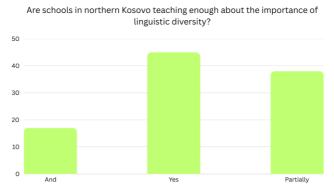


An overwhelming majority of 69% of respondents believe that local leaders are not at all committed to solving problems related to language rights, while only 3% believe that they are truly engaged in this.

How committed are local leaders to solving problems related to language rights?



An obvious part of the problem is the school system, which did not achieve good results in this research, given that the majority of respondents responded that the importance of linguistic diversity is not taught sufficiently (45%) or only partially (38%) in schools in northern Kosovo.



In addition, respondents had the opportunity to share their opinions and suggestions for improving the respect for language rights. Most responses indicated the need to raise awareness through educational campaigns, improve the quality of translations of official documents, and introduce Albanian and Serbian language courses to facilitate communication between communities. Many highlighted the importance of greater inclusion of members of the Serbian community in institutions, as well as hiring bilingual staff or hiring translators in each office. The Commissioner for Languages was also mentioned, with criticism that there is a lack of transparency and media presence of non-majority communities. Some respondents expressed doubts about the sincerity of institutional efforts, assessing them as formal, without substantive commitment. Attention was also drawn to the neglect of the rights of members of the Gorani community. Although some respondents stated that they had no additional comments, the dominant view was that concrete institutional measures are needed to ensure consistent implementation of the Law on the Use of Languages.

#### Focus groups

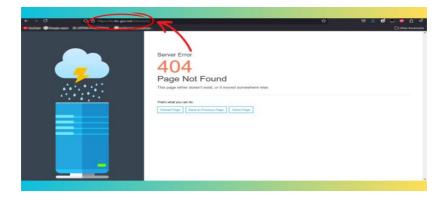
Data collected during the four focus groups show similar results to the survey. Most members of non-majority communities expressed dissatisfaction with the work of institutions in the municipalities of North Mitrovica and Leposavić, and almost every participant had at least one experience in which their language rights were violated by institutions.

The majority of participants complained about the work of the police. Many mentioned situations in which they were stopped in traffic by police officers, but there was no possibility of communication in the language of the community to which they belong. Those who speak Albanian resort to this solution, some try to use English, while some were unable to communicate at all, even in situations where they were issued a ticket exclusively in Albanian, without an explanation in Serbian.

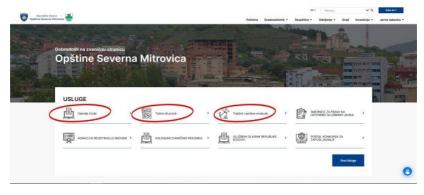
The work of municipal officials in the context of respecting language rights was also widely discussed. Experiences varied: in some departments, officials who speak both Serbian and Albanian work, while in others, translators are not present. The ID card issuing department in North Mitrovica was praised as an example of good practice, as the official speaks perfect Serbian. The vehicle registration department in Leposavić was similarly assessed. However, in other departments, participants reported violations of language rights, especially when issuing documents such as certificates of birth. Several of them stated that officials in North Mitrovica used security guards as translators, as they were the only employees who spoke both languages.

One of the problems that emerged in every focus group was the lack of notaries in northern Kosovo. Citizens are therefore forced to go to South Mitrovica, and many are dissatisfied with their experience. Some pointed out that notaries did not want to communicate in Serbian, even though they speak it, others stated that documents were issued only in Albanian or with translation errors, with additional costs for translation, which directly coincides with the results of the online survey. However, a significant number of participants said that they had never had any problems with notaries in South Mitrovica.

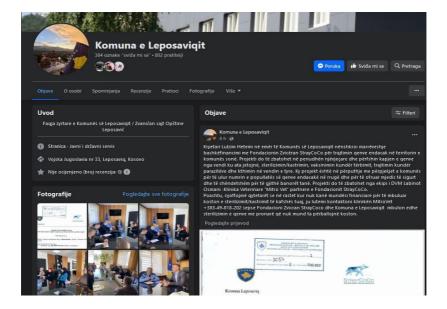
Municipal websites were another topic of discussion. Participants unanimously expressed dissatisfaction – the municipalities of Zvečan and Leposavić do not have functional websites.



The website of the municipality of North Mitrovica is not fully translated.



The municipality of Leposavić uses Facebook as an official communication channel, with some posts available exclusively in Albanian.



At the end of each focus group, participants were invited to propose concrete measures to improve respect for the linguistic rights of non-majority communities in institutions. This is the feedback we received:

- Employment of members of the Serbian community in institutions in accordance with their representation in the population;
- ➤ Introducing mandatory language courses for all employees and making knowledge of both languages a requirement for employment;
- **Establishing an IT team for translation support and automation:**
- Hiring a larger number of translators;
- Introducing Serbian and Albanian languages as mandatory subjects in the education system.

#### Interviews with municipal representatives

In order to gain a deeper understanding of the situation in institutions in northern Kosovo regarding the use of the Serbian language, semi-structured interviews were conducted with employees of municipal administrations in North Mitrovica and Leposavić. Five employees, both men and women, from different ethnic communities participated in the interviews: Serbian, Bosniak and Albanian. The interviews showed that, despite the personal willingness of individuals to contribute to inter-community communication, the systemic conditions for the exercise of language rights are still not at a satisfactory level.

Most participants pointed out that knowledge of both official languages is not a requirement for employment, nor are employees offered language courses or training on the laws regulating the rights of non-majority communities. In some sectors, they stated, there are no longer permanent translators, so employees often rely on automatic online translation tools, which further compromises the quality of communication. This practice particularly affects service users who do not speak Albanian, as information and documents are often not available to them in a language they understand.

Participants also cited examples of everyday challenges: communication between colleagues often takes place exclusively in one language, without any attempt at translation, while service users are often left without clear information. One interviewee from North Mitrovica pointed out that civil servants often find themselves in a situation where they have to interpret laws and documents without proper translations, while a respondent from Leposavić expressed concern that language issues are being resolved "over the knee", without real systemic support.

Interestingly, despite the problems, some respondents do not see any obstacles to communication, which indicates a different perception of the situation among employees – some link this to personal language skills or the habit of working in a multilingual environment. However, almost all agree that there is room for improvement, especially when it comes to institutional support, clear procedures and greater respect for the legally guaranteed linguistic rights of all communities.

These findings confirm what has already been highlighted through the survey and focus groups – that disrespect for the right to use the Serbian language in institutions is present both at the level of structural weaknesses, but also through everyday practice, often unspoken and neglected.

#### **DISCUSSION AND RECOMMENDATIONS**

All the results and all the available information give us the same conclusions: the linguistic rights of non-majority communities are not respected in institutions in northern Kosovo, and the Serbian language is not guaranteed in practice, even though the law clearly states that a translation into Serbian must exist for every document, in every department, in every institution!

Unfortunately, the 2024 citizens' census was not successfully conducted in northern Kosovo, in some places it did not take place at all, while in other places citizens massively boycotted it. This situation does not work in favor of this research when it comes to statistics, given that we cannot know whether any of the other ethnic communities (besides Serbian and Albanian) make up 5% of the total population in any of the four municipalities. This information is important for research on language use because the law guarantees that the language of a community that makes up more than 5% of the population of a municipality will receive the status of an official language in that municipality. For now, these communities in the north use mainly the Serbian language, which tells us that by not respecting the legal provisions on the use of the Serbian language, institutions in northern Kosovo are not only violating the rights of the Serbian community to use their mother tongue, but also the language rights of members of all other non-majority communities.

#### Recommendations

Based on the results obtained from the online survey, focus groups and interviews, as well as an insight into the legal framework, it is clear that there are numerous shortcomings in the implementation of the Law on the Use of Languages in the municipalities of North Mitrovica and Leposavić. In order to improve the situation and ensure real, and not just formal, language equality, we propose the following specific recommendations:

- ♣ Consistent implementation of the Law on the Use of Languages All municipalities should ensure that all documents, forms and announcements are available in both official languages Albanian and Serbian. Regular internal and external monitoring of compliance with legal obligations should be introduced.
- Hiring bilingual employees When hiring in the public sector in northern Kosovo, knowledge of both official languages should become one of the basic criteria. In parallel, it is necessary to increase the number of employees from the Serbian community in accordance with the ethnic structure of the population.
- ➡ Training and language courses for employees Organize continuous training for all employees on language rights and the basics of communication in both languages. Courses should be mandatory for new and existing staff.
- **Strengthening translation support** Every municipal office must have a person or team available to provide translation. Relying on automatic translation is not an acceptable solution when it comes to exercising fundamental rights.
- Digital accessibility It is necessary to improve the functioning of official municipal websites and ensure their full translation. Communication via social networks must be bilingual and in line with legal standards.
- Involving communities in decision-making It is necessary to create mechanisms that enable the active participation of members of nonmajority communities in the creation of local policies, especially when it comes to language rights.
- Greater responsibility of the Commissioner for Languages The institution of the Commissioner must be more proactive in monitoring

- and reporting on the situation on the ground, as well as in communicating with the public, especially through the presence of non-majority communities in the media.
- **Education and awareness-raising** Launch campaigns and educational initiatives on the importance of respecting linguistic rights and the significance of multilingualism for society as a whole.

#### **CONCLUSION**

The research results clearly show that the realization of the right to use the Serbian language in institutions in northern Kosovo remains a serious challenge. Although the law provides for the equal use of Albanian and Serbian languages in all aspects of public life, practice indicates frequent cases of its disrespect – from the unavailability of translations, to administrative inefficiency, to open examples of discrimination.

Respondents from all phases of the research – be they citizens, institutional representatives or focus group participants – point to insufficient institutional commitment and a lack of systemic solutions. Of particular concern is the fact that a large number of citizens have given up insisting on their rights due to fear of inconvenience or refusal of services.

Despite this, the research results also indicate that there is potential for change. A large number of respondents believe that the situation could be improved through training, greater engagement of institutions and a real will to solve the problem. This analysis can serve as a basis for further action by all relevant actors – institutions, civil society and international organizations – with the aim of ensuring equal rights for all citizens, regardless of the language they speak.

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