

Municipal language compliance in Kosovo

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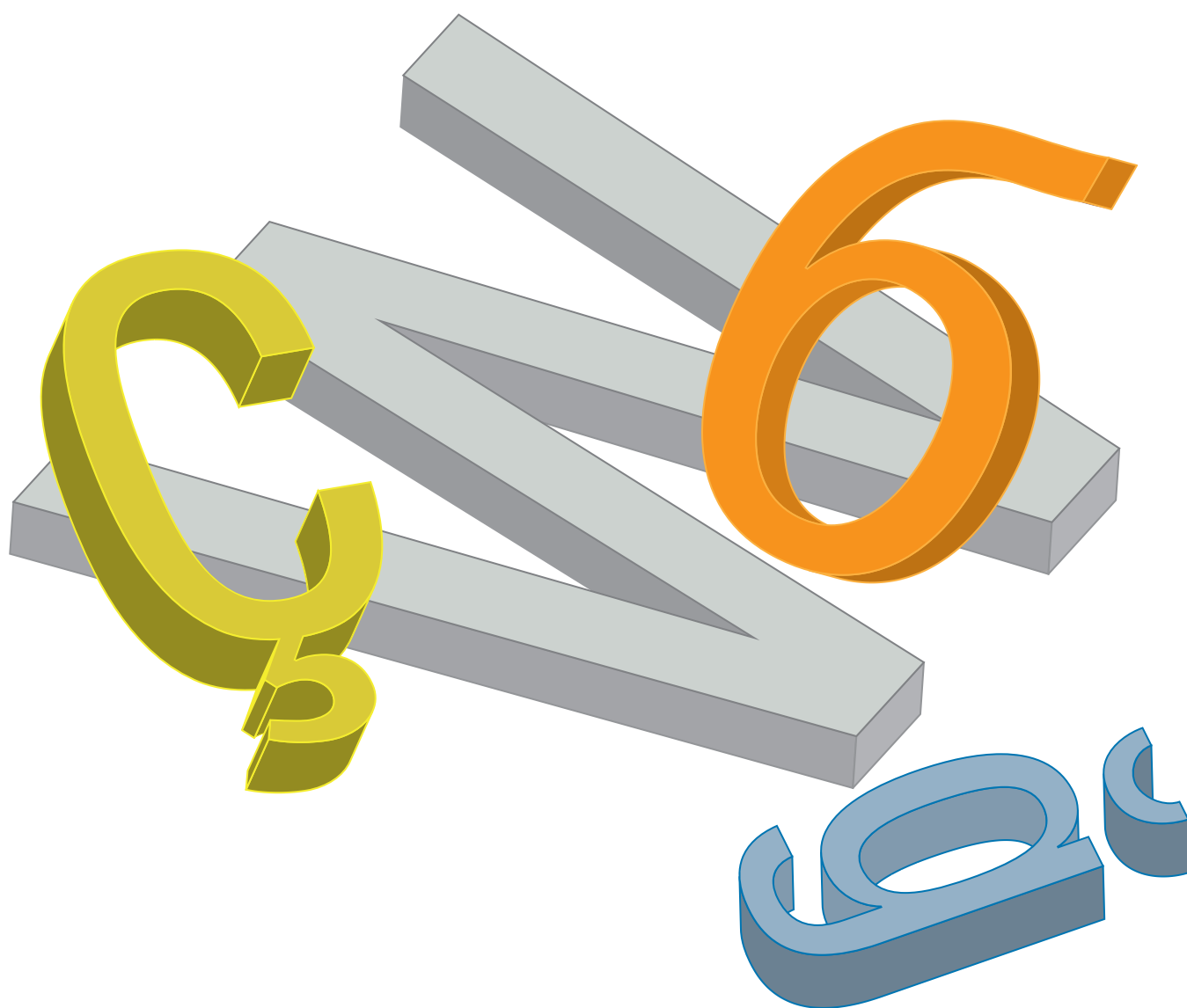


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LIST OF ABBREVIATIONS

AI	Administrative Instruction
ECMI	European Centre for Minority Issues
OLC	Office of the Language Commissioner
OSCE	Organization for Security and Co-operation in Europe Mission in Kosovo
UNMIK	United Nations Mission in Kosovo

EXECUTIVE SUMMARY

To ensure a democratic and pluralistic multi-ethnic society, the Kosovo legal framework provides crucial safeguards for extensive language rights of different communities, and obliges all public institutions and service providers to respect the equal use and status of the official languages. The Organization for Security and Co-operation in Europe Mission in Kosovo (OSCE) conducts regular monitoring, reporting and advocacy for the full realization of the language rights of all communities in Kosovo.

Analysing practices at the local level, this report reveals that more than seven years after its promulgation, the Law on the Use of Languages¹ remains only partially implemented due to insufficient human and financial resources, often accompanied by lack of sufficient understanding of obligations and/or lack of political will.

Due to these substantial challenges, access to services in official languages and languages in official use for communities in a numerical minority at the municipal level remains problematic. All municipalities have taken positive steps resulting in the adoption of municipal regulations on the use of languages, but Romani language is still not recognized or protected. Awareness campaigns on language rights remain very minimal and municipalities have been slow to appoint municipal language focal points. The inconsistent display of signs in all official languages on streets, road signs and in public buildings also remains problematic. Difficulties recruiting civil servants proficient in the official languages in the municipalities, inadequate representation of some communities in the civil service, and inadequate language training result in a widespread failure to provide services in all official languages and languages in official use within the public administration, as well as insufficient written translation of public meetings material. Moreover, the widespread lack of translation of the municipal legislation undermines the equal status of official languages and poses an additional hurdle to the effective participation of all communities in public life.

To remedy these shortcomings, the OSCE recommends that Kosovo institutions: allocate adequate financial, human and technical resources to enable the full implementation of the legal framework; raise public awareness among all of Kosovo's communities about their language rights; recognize all official languages and languages in official use at the municipal level, in accordance with the Kosovo legal framework; establish the Language Policy Network as required by law; display municipal and road signs in all official languages; improve language proficiency of civil servants through adequate training; and ensure adequate working conditions for municipal translation units.

¹ Law No. 02/L-37 on the Use of Languages as promulgated by UNMIK Regulation No. 2006/51, 20 October 2006.

1. INTRODUCTION

Central to the OSCE mandate is the monitoring, promotion and protection of the human rights of Kosovo's diverse communities², of which language rights are an integral component. Equal use of Kosovo's official languages is a prerequisite for the full and effective provision of services to all communities and their equal participation in public affairs, a fundamental element of a democratic and multi-cultural society.

Regular OSCE monitoring, along with previous OSCE reports³, indicates that language compliance by Kosovo municipalities remains highly problematic and demands special attention to ensure equal access to services and participation in public affairs for Kosovo's linguistic communities. In light of this, the report focuses on priority areas where the OSCE has identified shortcomings in municipal compliance with the legal framework, thereby providing the Kosovo government with a tool to systematically enhance its compliance with its duties and hold itself accountable to Kosovo's linguistic communities.

The report covers the situation in 34 Kosovo municipalities⁴ over the period from June 2011 to February 2014. The report is based on a desk review of relevant legislation, combined with regular field monitoring and extensive field research aimed at collecting both quantitative (i.e. existence of regulations, mechanisms and practices) and qualitative data (i.e. interviewees' perceptions and assessment of compliance with the language obligations) on Kosovo municipalities' implementation of their legal obligations.

As part of the field research, the OSCE collected data during a first round of interviews from July 2011 to September 2012, followed by updates carried out from March to April 2013 and from January to February 2014.⁵ Interviewees included over 150 persons belonging to all linguistic communities in Kosovo, including municipal leadership (deputy mayors for communities and municipal department directors), civil servants⁶ as well as residents⁷ from all municipalities surveyed. At the central level,

² See for instance the *Document of the Copenhagen Meeting of the Conference on Human Dimension of the CSCS* (5-29 June 1990) available at <http://www.osce.org/odihr/elections/14304> (accessed on May 2014).

³ OSCE report *Implementation of the Law on the Use of Languages by Kosovo Municipalities*, (July 2008), <http://www.osce.org/kosovo/32762> (accessed on May 2014); OSCE report *Multilingual legislation in Kosovo and its Challenges*, February 2012, <http://www.osce.org/kosovo/87704> (accessed on May 2014); OSCE *Community Rights Assessment Report*, Third Edition, (July 2012), <http://www.osce.org/kosovo/92244> (accessed on May 2014).

⁴ The northern municipalities were not part of the survey.

⁵ The length of the reporting period accommodates the reform of the relevant legal framework and responsible institutions mid-way through the study.

⁶ Employees of municipal offices for communities and return, municipal legal officers, municipal information officers, municipal translators and interpreters.

the OSCE interviewed the Kosovo Language Commissioner. Approximately one third of all interviewees were female.

Following this introduction, Section two of this Report outlines the legal and policy framework regulating language rights in Kosovo. Section three presents the role and significance of the Office of the Language Commissioner in facilitating language compliance, and highlights the role of the Language Policy Network as its supporting mechanism at the local level. Section four assesses the extent to which municipalities have implemented their detailed obligations under the legal and policy framework, and their capacities to do so. The final sections present key conclusions and a series of recommendations to relevant institutions and stakeholders with the aim to help them ensure communities' language rights.

2. LEGAL AND POLICY FRAMEWORK

Through the adoption of the Law on the Use of Languages⁸ in 2006, the Assembly of Kosovo committed Kosovo institutions to ensuring the equal use of Albanian and Serbian as the official languages in Kosovo. The Law on the Use of Languages complements the Anti-discrimination Law⁹ and international instruments for the protection of national minorities and regional or minority languages directly applicable in Kosovo, including the Council of Europe Framework Convention for the Protection of National Minorities¹⁰.

Pursuant to the legal framework, Albanian and Serbian and their alphabets are recognized as the official languages of Kosovo.¹¹ Other languages can also gain recognition as official languages at the municipal level – with the same status as Albanian and Serbian – if the linguistic community represents at least five per cent of the total municipal population.¹² Exceptionally, the Law on the Use of Languages gives Turkish the status of an official language in the municipality of Prizren, irrespective of the size of the Turkish community living there.¹³ A smaller linguistic community which represents three to five per cent of the municipal population, or where the language has been traditionally spoken, may have its language recognized as a “language in official use” at the municipal level¹⁴, and therefore receive services and obtain documents in that language through individual requests.

⁷ A total of 76 interviewees from Kosovo Serbs, Kosovo Gorani, Kosovo Albanians, Kosovo Bosniaks, Kosovo Turks and Kosovo Croats. A total of 38 communities members were interviewed during the first round while additional 38 were interviewed in the third round.

⁸ Law on the Use of Languages, note 1, *supra*.

⁹ Kosovo Law No. 2004/3 on Anti-Discrimination as promulgated by UNMIK Regulation No. 2004/32, 20 August 2004.

¹⁰ As regulated under Article 22 of the Kosovo constitution, 15 June 2008.

¹¹ Kosovo constitution, note 10, *supra*, Article 5; Law on the Use of Languages, note 1, *supra*, Article 2.1.

¹² Law on the Use of Languages, note 1, *supra*, Article 2.3.

¹³ *Ibid.*

¹⁴ *Ibid.* Article 2.4.

The Law on the Use of Languages provides that central and local institutions must conduct programmes to raise public awareness of its provisions and the rights it protects.¹⁵ It also obliges all public institutions and service providers to ensure the equal use and status of the official languages in Kosovo, regulating the use of languages in central and municipal institutions, public enterprises, judicial proceedings, education, media, personal names, and the private sphere. Under the same law, municipal institutions are required to use all official languages in the provision of services, interpretation during meetings of representative and executive bodies, translation of municipal meeting materials and all public documents, as well as the displaying of multilingual street names and municipal road signs.¹⁶ Pursuant to Article 10 of the Law on the Use of Languages, the Ministry of Local Government Administration issued relevant Administrative Instructions (AIs) defining the procedures to guarantee that members of communities may exercise their right to use community languages in municipal institutions.¹⁷

Moreover, the Law on the Use of Languages provides for the establishment of a specific body, the Language Commission, as the institution responsible for supervising the implementation of the Law¹⁸. The Language Commission was set up in May 2007.¹⁹ The Ministry of Public Services AI No.2007/01 further identified the Language Commission as the responsible institution for determining administrative sanctions for the violation of the provision of the Law on the Use of Languages.²⁰ Legal and policy reforms in 2012 transformed the Language Commission into the Office of the Language Commissioner, and thereby transferred those competences as well.²¹

The main policy document issued by the Office of the Prime Minister remains the Policy Study Paper “Languages Policies in Kosovo”²², which outlines Kosovo’s legal framework on the use of languages and assesses its implementation in central and municipal institutions.

¹⁵ *Ibid*, Art. 36.2

¹⁶ Law on the Use of Languages, note 1, *supra*, Articles 7–9.

¹⁷ Ministry of Local Government Administration, AI No. 2007/06 on the Determination of Procedures for Implementation of the Law on the Use of Languages in Municipalities, adopted on 17 August 2007, superseded by AI No. 2011/02 (with the same title), adopted on 18 April 2011.

¹⁸ *Ibid*, Art. 32.

¹⁹ Kosovo government, AI No. 03/2007 on Composition and competencies of the Language Commission.

²⁰ Ministry of Public Services, AI No. 2007/01 on Determining Administrative Sanctions for Violation of the Law on Use of Languages, 11 April 2007.

²¹ Regulation No. 07/2012 on the Office of the Language Commissioner, adopted by Kosovo government on 4 April 2012. Article 1.1.2 of the Regulation determines “the organization and structure of the Language Commission as an Office of the Language Commissioner, under the auspices of the Office of the Prime Minister”. Also, Article 32.1 of the same Regulation states that “Upon entry into force of this Regulation, the Prime Minister’s Administrative Instruction no. 03/2007 on the composition and powers of the Language Commission is repealed”; and Article 32.2 adds that: “On the date in which the Language Commissioner is appointed by the Prime Minister in accordance with this Regulation, the Government Language Commission shall cease to exist.”

²² Office of the Prime Minister, Office of Community Affairs, Policy Study II, *Languages Policies in Kosovo, Implementations in Relations with Public Bodies*, September 2011, http://www.kryeministri-ks.net/zck/repository/docs/Politika_e_gjuheve_shqipe.pdf (accessed on May 2014).



Language Commissioner Slaviša Mladenović presents at a workshop on municipal language compliance organized by OSCE in Prishtinë/Priština, 17 October 2013 - OSCE/Edon Muhaxheri

3. FUNCTIONING OF THE OFFICE OF THE LANGUAGE COMMISSIONER AND THE LANGUAGE POLICY NETWORK

The Language Commission was established in 2007 to ensure the equal use of official languages in compliance with the Law on the Use of Languages through investigations, mediation and recommendations as well as administrative sanctions against entities violating its provisions.²³ Yet, due to lack of adequate human, logistic and financial resources the Language Commission failed to effectively perform its responsibilities. As a result, the public remained generally unaware of its existence and complaint mechanisms.²⁴ In 2012, the OSCE-initiated efforts²⁵ which directly contributed to the adoption of a new government regulation on the Office of the Language Commissioner (OLC). This regulation addressed the identified problems of staff and budget shortages by guaranteeing the OLC dedicated staff, adequate office space and budgetary resources. In line with these reforms, the current Language Commissioner was appointed in December 2012 after the resignation of his predecessor. In February 2014, the OLC had become functional at a basic operational level, with some staff

²³ Law on the Use of Languages, note 1 *supra*; AI No. 2007/01, note 20, *supra*.

²⁴ Only four complaints have been submitted from 2007 up to March 2013.

²⁵ In May 2011, the OSCE organized a workshop that discussed how to strengthen the capacities of the Language Commission through an exchange of international best practices with the Irish Language Commissioner. This prompted the Kosovo government to establish, in November 2011, a working group for the reform of the Language Commission (to which OSCE had the role of observer). Based on this process, in April 2012 the Kosovo government approved the Regulation No. 07/2012 establishing the Office of the Language Commissioner.

recruited and working from an equipped office, although by April 2014 the team was not yet complete and recruitment still ongoing. In the meantime, the OLC has launched its website²⁶, developed an online complaint form, and resolved complaints received by mediation.²⁷ Also, in February 2013 the OLC submitted a set of recommendations to the Office of the Prime Minister for their adoption in the form of a decision.²⁸ As of April 2014, the decision had yet to be adopted. With the support of international organizations including the OSCE, since mid 2013, the OLC has also proactively engaged in a series of outreach and awareness-raising activities targeting municipal officials, civil society and community representatives to promote knowledge of language rights as well as of the OLC's role as an oversight and complaint mechanism.

Article 15 of the Regulation on the Office of the Language Commissioner mandates all public institutions to appoint a language focal point at the managerial level and to notify the OLC accordingly within 120 days of the Regulation's entry into force in April 2012. Within the same period of time, public institutions were obliged to notify the OLC of the contact details of all language assistants, interpreters and translators working for them, with the aim of establishing a Language Policy Network to assist the Language Commissioner in the implementation of its mandate.

In July 2012 the OLC sent an official request to municipalities for the appointment of language focal points within the six-month deadline²⁹. However, local authorities took minimal action until mid 2013, when the current Language Commissioner reiterated the request to the municipalities and took a proactive approach (through regular contact and field visits, providing directions and guidelines)³⁰, also with the OSCE support³¹.

²⁶ Available in Albanian at <http://www.komisioneri-ks.org>; in Serbian at <http://www.poverenik-ks.org> (accessed on May 2014).

²⁷ Information reported by the Language Commissioner during co-ordination meetings with international stakeholders held on June 2013 and January 2014 in the government building.

²⁸ A set of nine language policy measures were submitted by the Language Commissioner as part of the duties and responsibilities foreseen by the Regulation No. 07/2012, Article 18 (1.11). The recommendations urge the government and ministries to ensure, among others, language compliance during public speeches, translation of their websites into both official languages, and translation of primary and secondary legislation in official languages. They also urge the Ministry of Public Administration to place bilingual signs in/on all premises of public institutions, the Ministry of Internal Affairs to replace border crossing signs not translated into official languages, as well as the Ministry of Infrastructure and the Kosovo Police to undertake a public awareness campaign to prevent and sanction the defacing of topographical signs.

²⁹ Kosovo Language Commissioner, interview with OSCE conducted in February 2013, government building.

³⁰ Kosovo Language Commissioner, interview with OSCE conducted in September 2013, government building.

³¹ Five regional roundtables took place in the second half of 2013 throughout Kosovo, supported by OSCE, aimed at promoting inter-action between the Language Commissioner and the municipal authorities, therefore facilitating the appointment of municipal language focal points.

As of April 2014, 16 municipalities had appointed focal points, though not always at the managerial level.³² The remaining 18 municipalities are still without language focal points, mainly due to a lack of understanding of their obligations, however the OLC plans to conduct outreach to encourage compliance.

Summary of findings

The Language Commission established in 2007 remained ineffective for a long period of time due to lack of adequate human, logistic and financial resources. The newly established OLC has become functional at a basic operational level and has started to develop a visibility strategy to inform the population about its role and mandate. The OLC and municipalities did not meet the 120-day deadline foreseen by Regulation 07/2012 to establish the Language Policy Network as one of the supporting mechanisms to the OLC.

4. MUNICIPAL IMPLEMENTATION OF THE LAW ON THE USE OF LANGUAGES

4.1. Adoption of municipal regulations for the recognition and use of languages at the municipal level and awareness raising activities

Pursuant to Articles 2.4 and 35 of the Law on the Use of Languages, municipalities are obliged to adopt detailed regulations regarding the recognition of languages spoken in their territory, in line with procedures defined by the relevant AIs from the Ministry of Local Government Administration.³³

All 34 municipalities surveyed have now adopted municipal regulations on the recognition and use of languages. This indicates important progress since the first OSCE assessment of the implementation of the Law on Use of Languages³⁴. The Turkish language is currently official in Prizren and Mamuša/Mamushë/Mamuša municipalities. In 2007 and 2008, the municipalities of Gjilan/Gnjilane, southern Mitrovicë/Mitrovica, Prishtinë/Priština and Vushtrri/Vučitrn also recognized Turkish as a language in official use. Bosnian is an official language in the municipalities of Prizren, Dragash/Dragaš and Pejë/Peć and in official use in Istog/Istok municipality (see table below).

³² Deçan/Deçane, Dragash/Dragaš, Ferizaj/Uroševac, Fushë Kosovë/Kosovo Polje, Junik/Junik, Kamenicë/Kamenica, Klokot-/Kllokot, Lipjan/Lipljan, Novo Brdo/Novobërdë, Obiliq/Obilić, Podujevë/Podujevo, Prishtinë/Priština, Prizren, Ranilug/Ranillug, Shtime/Štimlje and Suharekë/Suva Reka. Interviews conducted with municipal officials between January and February 2014.

³³ AI No. 2007/06 on the Determination of Procedures for Implementation of the Law on the Use of Languages in Municipalities. In April 2011, this AI was superseded by AI No. 2011/02. Note 17, *supra*.

³⁴ OSCE Report *Implementation of the Law on the Use of Languages by Kosovo Municipalities*, June 2008, note 3, *supra*. According to the report, only the municipality of Klinë/Klina had adopted a municipal regulation on the use of languages (municipal Regulation no. 01-07-72/07 adopted on 27 April 2007).

Official languages in Kosovo – Serbian and Albanian	Official languages at the municipal level	Languages in official use at the municipal level
<i>All municipalities</i>	<u>Turkish</u> Prizren Mamuša/Mamushë/Mamuša <u>Bosnian</u> Prizren Dragash/Dragaš Pejë/Peć	<u>Turkish</u> Gjilan/Gnjilane, southern Mitrovicë/Mitrovica Prishtinë/Priština Vushtrri/Vučitrn <u>Bosnian</u> Istog/Istok

As of April 2014, no municipalities in Kosovo have recognized the Romani language as a language in official use, although Kosovo Roma communities have traditionally spoken their language in the municipalities where they have been living, making it eligible for recognition as such according to Article 2.4 of the Law on the Use of Languages.

Apart from few exceptions³⁵, the majority of municipalities did not organize public discussions on language rights prior to or after the endorsement of the municipal regulations to familiarize the population with the legal framework. Positive steps were nonetheless adopted in 2013, when several municipalities participated in outreach initiatives implemented by the OLC with the support of international organizations, including the OSCE, targeting civil society and communities' representatives.

Summary of findings

All municipalities have taken positive steps in adopting municipal regulations on the use of languages. Bosnian and Turkish have the status of official languages in three and two municipalities respectively, and of languages in official use in one and four municipalities respectively. However, Romani still lacks such recognition and protection despite having been traditionally spoken. Municipalities have not taken specific steps in order to raise public awareness of language rights, though modest improvements have been noted during 2013 as a result of their co-operation with the OLC.

³⁵ In Prizren, public discussions were organized prior to the endorsement of municipal Regulation on Use of Languages No. 01/011/3250, 8 March 2013.

4.2. Display of municipal signs, notices and bulletin boards

As reiterated by the Advisory Committee on the Framework Convention for the Protection of National Minorities³⁶ the “public display of minority languages is of particularly symbolic value as it portrays the inclusion of other groups as respected and welcome members of society and thereby plays an important role in promoting a sense of belonging and integration”.

In that regard, the displaying of multilingual signs, notices and bulletin boards in offices providing services to municipal residents (or displaced persons) is particularly beneficial for linguistic communities. That good practice is also conducive to the implementation of the Law on the Use of Languages, which requires that services be provided in all official languages³⁷, that the work environment is conducive to the effective use of official languages³⁸ and that names of official institutions and organs are displayed in all official languages³⁹. For this report, OSCE looked at interior and exterior signage of municipal public offices⁴⁰, municipal office doors⁴¹ and primary health care centres⁴² located in municipal/town centres.

Out of 34 municipalities, only six consistently displayed all municipal public office signs indicating available services in all official languages.⁴³ Eleven municipalities displayed over 50 per cent of signs in all official languages.⁴⁴ The remaining municipalities were found displaying less than 50 per cent of signs in all official languages.

With regard to municipal office door signs, 17 municipalities⁴⁵ were language compliant, including four municipalities (Štrpce/Shtërpçë, Kamenicë/Kamenica, Novo

³⁶ Advisory Committee on the Framework Convention for the Protection of National Minorities, *Third Opinion on Kosovo*, March 2013, page 35.

http://www.coe.int/t/dghl/monitoring/minorities/3_FCNMdocs/PDF_3rd_OP_Kosovo_en.pdf.

³⁷ Law on the Use of Languages, note 1, *supra*, Articles 1.1(ii); 4.2; 7.2; 11 and 30.

³⁸ *Ibid*, Article 7.5.

³⁹ *Ibid*, Article 9.1.

⁴⁰ Municipal civil status offices, municipal civil registry offices, municipal legal offices, municipal offices for communities and return, municipal citizens service centres, municipal property tax offices, municipal cadastres, social welfare centres, vehicle registration offices, centres for employment and social welfare; municipal business centres; municipal department of administration; finance; education; culture youth and sport; public services/emergency; urbanism/cadastre; planning and development; health/social welfare; inspection; agriculture/forestry; Kosovo Property Agency local offices.

⁴¹ The offices of mayors, deputy mayors, municipal directors and legal officers.

⁴² The primary health care centres under the Kosovo system.

⁴³ Municipalities of Deçan/Deçane, Gjakovë/Đakovica, Kamenicë/Kamenica, Klinë/Klina, southern Mitrovicë/Mitrovica and Novo Brdo/Novobërdë.

⁴⁴ Municipalities of Dragash/Dragaš, Ferizaj/Uroševac, Fushë Kosovë/Kosovo Polje, Gjilan/Gnjilane, Klokot-/Kllokot, Pejë/Peć, Podujevë/Podujevo, Prizren, Skenderaj/Srbica, Štrpce/Shtërpçë and Vushtri/Vučitrn.

⁴⁵ Municipalities of Deçan/Deçane, Dragash/Dragaš, Fushë Kosovë/Kosovo Polje, Ferizaj/Uroševac, Istog/Istok, Kamenicë/Kamenica, Klinë/Klina, Lipjan/Lipljan, Mamuşa/Mamushë/Mamuşa, southern Mitrovicë/Mitrovica, Novo Brdo/Novobërdë, Obiliq/Obilić, Podujevë/Podujevo, Prizren, Rahovec/Orahovac, Skenderaj/Srbica and Štrpce/Shtërpçë.

Brdo/Novobërdë and Ferizaj/Uroševac) which were part of an OSCE project on door signs implemented in 2010. Of note, Prizren municipality displays around 90 per cent of signs in four languages (Albanian, Serbian, Bosnian and Turkish). Conversely, ten municipalities were found to be displaying no signs in a language other than the one of the municipal majority,⁴⁶ with the remaining municipalities assessed as having varying rates of compliance. Officials from the municipalities of Ranilug/Ranillug⁴⁷, Parteš/Partesh⁴⁸, Shtime/Štimlje⁴⁹ and Viti/Vitina⁵⁰ indicated they plan to install office door signs in official languages once the renovation of the municipal buildings would be completed.

Finally, out of the 30 primary health care centres visited throughout Kosovo, only six were found to display signs in all official languages⁵¹; of the remainder, four centres displayed less than half of their signs in only one language, while 20 displayed over half (50 per cent or more) of their signs in only one language.

The OSCE's regular monitoring indicates that the main reasons for not adopting the practice of displaying multilingual municipal signs were a general lack of political will and a lack of full understanding of the obligation.



*Entrance door sign in
Gjilan/Gnjilane municipality,
28 May 2014 – OSCE/Enis Ahmetaj*

Summary of findings

The display of multilingual signs in municipal public offices is conducive to the implementation of the requirement under the Law on the Use of Languages to provide services in all official languages. Nonetheless, based on assessment of signage in municipal public offices and primary health care centres, and of internal municipal office door signs, over half of municipalities do not display multilingual signs. Municipalities are therefore encouraged to take steps to ensure the displaying of multilingual signs, notices and bulletin boards in all public offices and buildings.

⁴⁶ Municipalities of Glogoc/Glogovac, Hani Elezit/Elez Han, Junik/Junik, Kaçanik/Kaçanik, Malishevë/Mališevo, Parteš/Partesh, Ranilug/Ranillug, Shtime/Štimlje, Viti/Vitina and Vushtrri/Vučitrn.

⁴⁷ Director of municipal department of administration, interview with OSCE on 13 March 2013 and confirmed by deputy mayor on 3 March 2014.

⁴⁸ Director of municipal department of administration, interview with OSCE on 15 March 2013 and confirmed by deputy mayor on 3 March 2014.

⁴⁹ Municipal information officer, interview with OSCE on 20 March 2013 and confirmed on 5 February 2014.

⁵⁰ Head of Democratization sector of Viti/Vitina municipality, interview with OSCE on 21 March 2013 and confirmed on 4 February 2014.

⁵¹ Municipalities of Dragash/Dragaš, Gjakovë/Đakovica, Kaçanik/Kaçanik, Kamenicë/Kamenica, Rahovec/Orahovac and Viti/Vitina.

4.3. Multilingual provision of services

Article 7.2 of the Law on the Use of Languages provides that every person has the right to communicate with, and to receive available services and public documents from, municipal institutions and officials in any of the official languages and that it is the responsibility of every municipal representative and executive body to ensure this. Article 8.1 further stipulates the right of persons whose language is in official use to present oral or written submissions and documents, and to receive a reply from municipal institutions and officials in their own language, if they so request.

In order to assess the municipal provision of multilingual services, the OSCE interviewed 76 persons belonging to communities in a numerical minority at the municipal level⁵² who described their experiences using their mother-tongue languages in their relations with municipal authorities. Based on two rounds of interviews, separated by two-and-a-half years, the OSCE found no indication of any improvement in municipal authorities' use of languages in the provision of municipal services.⁵³

The majority of respondents, 40 out of 76, emphasized problems with receiving written documents in their languages, although in general they assessed verbal communication as being less problematic. This notwithstanding, some Kosovo Turks⁵⁴ and Kosovo Bosniaks⁵⁵ interviewed in municipalities where their mother tongue is an official language or language in official use admitted to using Albanian or Serbian in their communication with the local administration, and to accepting documents in one of these two languages in order to avoid longer procedures.

Though reporting that municipal language compliance in the provision of services had improved over the last several years, Kosovo Serbs and Kosovo Gorani highlighted difficulties in communicating with and receiving documents from the municipal authorities, and indicated that younger civil servants often do not speak Serbian.

⁵² Thirty-two Kosovo Serbs, 14 Kosovo Albanians, 14 Kosovo Turks, 12 Kosovo Bosniaks, two Kosovo Croats and two Kosovo Gorani. A total of 38 communities members were interviewed during the first round (July 2011–September 2012), while additional 38 persons were interviewed during the third round (January–February 2014). The interviewees were selected on the basis of their ethnicity and willingness to share information. Some of them were regular OSCE interlocutors while others were chosen randomly in front of municipal buildings.

⁵³ Ibid.

⁵⁴ Three Kosovo Turks from Gjilan/Gnjilane (one person interviewed on 29 August 2012 and two persons on 5 February 2014), three Kosovo Turks from southern Mitrovicë/Mitrovica (one person interviewed on 7 September 2012 and two persons on 22 January 2014), four Kosovo Turks from Prishtinë/Priština (one person interviews on 12 September 2012 and three persons on 15 January 2014) and four Kosovo Turks from Prizren municipality (two interviews conducted on 10 September 2012 and additional two on 12 February 2014).

⁵⁵ Four Kosovo Bosniaks in Dragash/Dragaš municipality (two interviews conducted on 7 September 2012 and two on 23 January 2014), four Kosovo Bosniaks from Pejë/Peć municipality (two persons interviewed on 10 September 2012, one person on 5 February 2014 and one person on 10 February 2014) and four Kosovo Bosniaks from Prizren municipality (two interviews conducted on 5 September 2012, one person interviewed on 31 January 2014 and one person on 10 February 2014).

Kosovo Serbs⁵⁶ and Kosovo Gorani⁵⁷ mainly reported experiencing problems with documentation from the municipal cadastre, municipal tax offices, medical clinics (medical reports, prescriptions), municipal civil registration offices and vehicle registration centres. From their side, Kosovo Croats⁵⁸ reported facing problems in the Municipal Court of Viti/Vitina, which issues the majority of written documents only in the Albanian language claiming that the documents are mostly for the attention of lawyers who are predominantly Kosovo Albanians⁵⁹.

Kosovo Albanians described somewhat different experiences in municipalities where they constitute a numerical minority. The respondents⁶⁰ in Klokot/Kllokot reported that the municipal administration treats both official languages equally, and that there are no language compliance problems. Kosovo Albanians interviewed in the municipalities of Mamuša/Mamushë/Mamuša⁶¹ and Gračanica/Graçanicë⁶² expressed their opinion that municipal staff are generally receptive and able to communicate in Albanian when approached or requested to provide information, however there were problems identified in Gračanica/Graçanicë⁶³ resulting from an inadequate number of municipal translators/interpreters (e.g. no interpretation during meetings, delays in the provision of municipal documents in Albanian, etc). Kosovo Albanians in the municipality of Ranilug/Ranillug reported that, despite the employment of several

⁵⁶ Three Kosovo Serbs from Ferizaj/Uroševac municipality (two persons interviewed on 21 August 2012 and one person on 5 February 2014); three Kosovo Serbs from Gjilan/Gnjilane municipality (one interview conducted on 29 August 2012, and two interviews conducted on 5 February 2014); four Kosovo Serbs from Kamenicë/Kamenica municipality (two interviews conducted on 28 August 2012 and two on 7 February 2014), four Kosovo Serbs from Novo Brdo/Novobërdë (two interviews conducted on 27 August 2012 and two on 6 February 2014); three Kosovo Serbs in Štrpce/Shtërpçë municipality (two persons interviewed on 7 August 2012 and one person on 4 February 2014); two Kosovo Serbs from Viti/Vitina municipality (one interview conducted on 14 August 2012 and one on 3 February 2014); four Kosovo Serbs from Fushë Kosovë/Kosovo Polje municipality (two interviews conducted on 9 August 2012 and additional two interviews on 14 January 2014); two Kosovo Serbs from Lipjan/Lipljan municipality (one interview conducted on 7 September 2012 and one on 14 January 2014); two Kosovo Serbs from Obiliq/Obiliç municipality (one interview conducted on 11 September 2012 and one on 15 January 2014); two Kosovo Serbs from Vushtrri/Vučitrn municipality (one person interviewed on 7 August 2012 and one person interviewed on 4 February 2014); and three Kosovo Serbs from Rahovec/Orahovac (one person interviewed on 6 September 2012 and two persons interviewed on 11 February 2014).

⁵⁷ Two Kosovo Gorani from Dragash/Dragaš municipality (one person interviewed on 6 September 2012 and one person on 23 January 2014).

⁵⁸ Two Kosovo Croats from Viti/Vitina municipality, interview conducted by OSCE on 23 August 2012 and confirmed on 5 February 2014, though the interviewees reported some improvements since mid-2013 following the reform of the judiciary and the establishment of Gjilan/Gnjilane Basic Court branch in Viti/Vitina.

⁵⁹ As per OSCE monitoring of cases with ethnic elements within Viti/Vitina municipal court, it has always resulted that the relevant documents were translated in the language of the parties.

⁶⁰ Four Kosovo Albanians (two persons interviewed on 28 August 2012 and two persons interviewed on 7 February 2014).

⁶¹ One Kosovo Albanian interviewed on 30 August 2012, one Kosovo Albanian interviewed on 10 September 2012 and one interviewed on 10 February 2014.

⁶² Four Kosovo Albanians (two persons interviewed on 12 September 2012 and additional two persons interviewed on 11 February 2014).

⁶³ *Ibid.*

municipal officials from the Kosovo Albanian community, there are situations where they have to address Kosovo Serb employees in the Serbian language since in general they have a poor command of the Albanian language⁶⁴.

The above difficulties highlight persistent shortcomings in the provision of equal access to services in official languages and languages in official use for all communities. As observed by the Advisory Committee on the Framework Convention for the Protection of National Minorities⁶⁵, one of the main reasons for this is the difficulties faced by the administrative authorities in recruiting civil servants proficient in official languages, combined with a lack of adequate language training.⁶⁶ In addition, as previously highlighted by the OSCE,⁶⁷ there is still an inadequate level of representation of some communities in the civil service, despite the inclusion of non-discrimination clauses in employment legislation and reserved quotas for employment of community members in public institutions.⁶⁸

In this respect, the OSCE notes the positive steps taken in 2013 by the Office of Community Affairs within the Office of the Prime Minister for the establishment of a working group on employment for communities in numerical minority at municipal level to promote their representation in the civil service and publicly owned enterprises.⁶⁹

Summary of findings

Municipal institutions and officials still fail to ensure language compliance in the provision of services and documents to the public as required by the Law on the Use of Languages. Moreover, municipalities have made no apparent improvement over the last three years in the provision of services in all required languages. This appears primarily due to difficulties in the recruitment of civil servants proficient in official languages and a lack of language training, as well as the poor level of representation of some communities in the civil service.

⁶⁴ Two Kosovo Albanians interviewed on 29 August 2012 and one Kosovo Albanian interviewed on 10 February 2014.

⁶⁵ Advisory Committee on the Framework Convention for the Protection of National Minorities, *Third Opinion on Kosovo*, 36, *supra*, pages 9 and 33.

⁶⁶ Since 2012 the OSCE High Commissioner on National Minorities, in co-operation with the OLC, has been supporting a project to train civil servants to speak both official languages equally. The project has been implemented by the European Centre for Minority Issues (ECMI). See European Centre for Minority Issues Kosovo at: <http://www.ecmikosovo.org/?p=4529> (accessed on May 2014).

⁶⁷ OSCE report *Representation of Communities in the Civil Service in Kosovo*, December 2012, <http://www.osce.org/kosovo/99601>.

⁶⁸ At least 10 per cent of civil servants at the central level must be members of non-Albanian communities. At municipal level, quotas must be based on the percentage of communities in a specific municipality in accordance with Article 11(3) of the Law No. 03/L-149 on the Civil Service and Regulation No. 04/2010 on Procedures for the Fair and Proportional Representation of Communities not in the majority in the Civil Service of Kosovo, 21 September 2010 issued by the Ministry of Public Administration.

⁶⁹ See <http://www.kryeministri-ks.net/zck/?page=2,4,132> (accessed on May 2014).

To remedy these failures, municipalities should take language proficiency into account during the recruitment of public administration posts and should seek support from the central level to provide civil servants with adequate language training, with the aim of encouraging an environment that is generally conducive to the use of all official languages. In addition, the Kosovo government should develop specific public employment programmes and initiatives targeting persons belonging to all Kosovo communities to ensure full and effective implementation of positive action measures aimed at enhancing representation of communities in the municipal civil service, as required under Article 11 of the Regulation 04/2010.

4.4. Interpretation during meetings of representative and executive bodies, and translation of municipal meeting documents and municipal legal acts

According to the Law on the Use of Languages, municipalities are obliged to provide interpretation from one official language to the other⁷⁰ and from one official language to another community language⁷¹, on request. In addition, the same law requires that “records of meetings and official records of municipal representative and executive bodies, public registers and other official documents shall be kept and issued in all official languages of the municipality.”⁷²

To get a general sense of compliance with these provisions, the OSCE monitored municipal compliance with the obligation to provide interpretation during municipal assembly sessions, as well as compliance of the meeting materials with the Law on the Use of Languages and the Law on Local Self-Government.⁷³

Through its regular monitoring, the OSCE found that, with few exceptions⁷⁴, municipalities comply with the legal requirement of providing oral interpretation, upon request, during municipal assembly meetings. However, written translation of the minutes of the meetings remains an area of concern, since a total of 19 municipalities⁷⁵ failed to provide them on regular basis throughout 2013, despite their obligation to do so regardless of whether there is a request for translation. Municipal officials gave two main reasons for lack of compliance with translation requirements,

⁷⁰ Law on the Use of Languages, note 1, *supra*, Article 7.3 refers to meetings of representative and executive bodies of the municipality, as well as public meetings organized by the municipality.

⁷¹ *Ibid*, Article 8.4. This provision refers to members of municipal representative bodies, and their committees, belonging to communities whose mother tongue is not an official language of the municipality

⁷² *Ibid*, Article 7.4.

⁷³ See Articles 4.4 and 49, Law No. 03/L-040 on Local Self-Government, 4 June 2008.

⁷⁴ Only two municipalities were found not providing translation on regular basis throughout 2013, namely Gračanica/Gračanicë and Mamuşa/Mamushë/Mamuša.

⁷⁵ Deçan/Deçane, Ferizaj/Uroševac, Fushë Kosovë/Kosovo Polje, Gjakovë/Đakovica, Glogoc/Glogovac, Hani i Elezit/ Helez Han, Istog/Istok, Junik/Junik, Kaçanik/Kaçanik, Klinë/Klina, Lipjan/Lipljan, Malishevë/Mališevo, southern Mitrovicë/Mitrovica, Obiliq/Obilić, Podujevë/Podujevo, Rahovec/Orahovac, Shtime/Štimlje, Suharekë/Suva Reka, and Vushtrri/Vučitrn.

namely inadequate human resources and the fact that some municipalities have very few residents not belonging to the numerical majority and therefore do not perceive the need for translation of the notes into other languages.

On a similar note, according to the legal framework all municipal legal acts should be processed, adopted and published in all official languages of the municipality.⁷⁶ Consequently, municipalities are obliged to respect the equal status of official languages regardless of the demographic composition of the communities living there. In line with a previous OSCE overall assessment⁷⁷ indicating that more than a third of municipalities failed to translate their legal drafts and to adopt legislation in all official languages – a crucial aspect in the context of wider participation by communities in municipal affairs – the OSCE found that 14 municipalities are still largely non-compliant with this obligation (less than 20 per cent of municipal decisions or regulations examined by the OSCE were language-compliant).⁷⁸ The municipalities of Prizren, Dragash/Dragaš and Pejë/Peć are only partially compliant (with around 70 per cent of municipal decisions or regulations examined being compliant) since they do not translate legal acts into Bosnian, while the remaining 17 municipalities surveyed were found to be compliant (above 80 per cent) with the translation requirements. Furthermore, the OSCE observed that, even when available, only a few municipalities provided fully satisfactory translation⁷⁹, whereas the quality of translation was not fully satisfactory or was inaccurate in several other municipalities, mainly with regard to documents translated from Albanian into Serbian.⁸⁰

The most common reasons mentioned by municipal officials for the failure to provide (satisfactory) written translation was the lack of human and financial resources, poor working conditions for the translators and/or the very low presence of communities in a numerical minority in the respective municipalities.

Summary of findings

While there is high adherence to the obligation to provide interpretation during municipal assembly sessions, there remain concerns regarding the fact that over half of

⁷⁶ Law on the Use of Languages, note 1, *supra*, Article 7.6.

⁷⁷ See OSCE report *Multilingual legislation in Kosovo and its Challenges*, February 2012, note 3, *supra*, pages 17–19. This report is primarily oriented towards the actors involved in drafting multilingual legislation, both at the central and local level.

⁷⁸ Deçan/Deçane, Ferizaj/Uroševac, Gjakovë/Đakovica, Gjilan/Gnjilane, Glogoc/Glogovac, Hani Elezit/Ellez Han, Junik/Junik, Kaçanik/Kaçanik, Malishevë/Mališevo, southern Mitrovicë/Mitrovica, Obiliq/Obilić, Podujevë/Podujevo, Skenderaj/Srbica and Vushtrri/Vučitrn.

⁷⁹ ‘Satisfactory translation’ means that the text is very well written and understandable, and corresponds with the original message. This quality of translation was only observed in the municipalities of Fushë Kosovë/Kosovo Polje, Gračanica/Graçanicë, Klokot/Kllokot, Novo Brdo/Novobërdë, Parteš/Partesh, Prishtinë/Priština, Ranilug/Ranillug, Shtime/Štimlje and Štrpce/Shtërpçë.

⁸⁰ Even though the text is understandable, there are many common mistakes in terms of syntax, incorrect use of letters or cases. This was observed in the municipalities of Dragash/Dragaš, Gjakovë/Đakovica, Gjilan/Gnjilane, Istog/Istok, Kamenicë/Kamenica, Klinë/Klina, Lipjan/Lipljan, Pejë/Peć, Prizren, Suharekë/Suva Reka, Viti/Vitina and Vushtrri/Vučitrn.

the municipalities do not ensure translation of meeting minutes. Furthermore, half of the municipalities fail to comply with their obligation to issue all municipal legal drafts and legislation in all official languages as well as to ensure adequate quality of those translations. Municipalities should increase human and financial resources to ensure interpretation during public meetings and adequate language translation of all official documents.



Road sign in Parteš/Partesh municipality, 28 May 2014 – OSCE/Enis Ahmetaj

4.5. Translation of municipal websites and job vacancies

The Law on the Use of Languages mandates municipalities to ensure they issue, keep and make available all public documents in the official languages.⁸¹ Local authorities are also obliged to publish official documents on their websites equally in all official languages.⁸²

As of April 2014, all municipalities had opened a website.⁸³ However, the OSCE found only seven⁸⁴ to be fully compliant with their language obligations, even if translation is sometimes provided with a bit of delay. There is a Turkish-language version of the website of Mamuşa/Mamushë/Mamuša municipality, though the information is not fully reflected on the Serbian and Albanian language pages. Prizren municipality lacks a

⁸¹ Law on the Use of Languages, note 1, *supra*, Articles 7.2 and 7.4.

⁸² Ministry of Public Administration, AI No. 03/2011 on the Web Page of Public Institutions, 24 October 2011, Article 9: “web page and information on the web page must be in compliance with the Law on the Use of Languages”. http://map.rks-gov.net/userfiles/file/document_page/Udhezimi_Administrativ_Nr_03_2011_Per_ueb_Faqet_e_Institucioneve_Publike_an.pdf. (accessed on May 2014).

⁸³ See the link to municipalities’ websites at: <http://kk.rks-gov.net/> (accessed on May 2014).

⁸⁴ Gračanica/Gračanicë, Kamenicë/Kamenica, Klokot-/Kllokot, Novo Brdo/Novobërdë, Ranilug/Ranillug, Štrpce/Shtërpçë and Vushtri/Vučitrn.

Bosnian language page and fails to update the Serbian page on a regular basis, while the link leading to the Turkish version does not open. Dragash/Dragaš municipality has no Bosnian language page, nor does Pejë/Peć municipality, which also fails to provide the Serbian version.⁸⁵ In the remaining municipalities surveyed, the websites are largely non-compliant with the legal framework, being unilingual or, even when technically available in the official languages, presenting several shortfalls such as rare updates, poor quality translation or incomplete sections.

Municipal websites also serve to enhance employment opportunities of under-represented communities in the civil service, and therefore it is important that they are language-compliant.⁸⁶ Nonetheless, through its monitoring, the OSCE found only 19 municipalities⁸⁷ were compliant with the obligation to post job vacancies in all official languages.

Summary of findings

All municipalities have opened a website, but they remain largely unilingual or fall far short of municipalities' obligation to meaningfully facilitate access to documents and services in all official languages. Municipalities should ensure that all documents and services appearing on the websites are language-compliant, including the postings of job vacancies.

4.6. Availability of interpretation and capacity of municipal translation units

Although the Law on the Use of Languages does not stipulate this explicitly, its implementation requires adequate human, financial and technical resources, including the establishment of translation units, recruitment of an adequate number of qualified language assistants, and ensuring their access to appropriate working conditions and professional development opportunities.

⁸⁵ An assessment of municipal websites was also carried out by the Ombudsperson Institution in Kosovo in its Ex-Officio report No.275/2012.

⁸⁶ To enhance representation of communities, employing institutions are under a positive obligation to pursue an active recruitment strategy, including through publication of job advertisements through print and broadcast media in all official languages. See Regulation No. 04/2010 on Procedures for the Fair and Proportional Representation of Communities not in the majority in the Civil Service in Kosovo, note 68, *supra*, Articles 11.2 and 11.3.

⁸⁷ Dragash/Dragaš, Fushë Kosovë/Kosovo Polje, Gračanica/Graçanicë, Istog/Istok, Kamenicë/Kamenica, Klokot/Kllokot-, Lipjan/Lipljan, Mamuša/Mamushë/Mamuša, Novo Brdo/Novobërdë, Obiliq/Obilić, Prishtinë/Priština, Prizren, Rahovec/Orahovac, Ranilug/Ranillug, Shtime/Štimlje, Štrpce/Shtërpçë, Suharekë/Suva Reka, Viti/Vitina and Vushtrri/Vučitrn.

As of April 2014, 15 municipalities reported having established municipal translation units⁸⁸, while another 15 municipalities work with one or two language assistants⁸⁹. The municipalities of Hani Elezit/Elez Han, Glllogoc/Glogovac, Malishevë/Mališevo and Gjakovë/Đakovica have no official translators or interpreters. Of note, the municipal translation unit of Shtime/Štimlje does not foresee a position of translator/interpreter and is instead composed of municipal civil servants without relevant language skills.⁹⁰

Eighteen municipalities⁹¹ reported being understaffed with respect to translation/interpretation services due to a combination of factors, including limits deriving from a staff ceiling, lack of budget, as well as the difficulty of finding qualified applicants. In such cases, the municipal translators bore a heavy workload while in some cases translation was provided by municipal officials who did not possess the relevant qualifications, to the detriment of the quality of the translation.⁹² Insufficient translator/interpreter staff also negatively affects the timely translation of documents.

Additional shortcomings observed throughout Kosovo are the lack of adequate office space and of basic technical equipment for translators and interpreters, including dictionaries, computer spell-check programmes or recording devices. Despite this, only the municipality of Ferizaj/Uroševac reported allocating regular financial resources to boost the capacity of the translators, while Deçan/Deçane municipality purchased new information technology equipment for the translation unit during 2013. Finally, the OSCE observed that municipal translators and interpreters often lack adequate qualifications and experience⁹³, and more than half of the translators interviewed expressed the desire to attend specialized training.

⁸⁸ Municipalities of Deçan/Deçane, Ferizaj/Uroševac, Fushë Kosovë/Kosovo Polje, Gjilan/Gnjilane, Istog/Istok, Junik/Junik, Lipjan/Lipljan, Novo Brdo/Novobërdë, Podujevë/Podujevo, Prishtinë/Priština, Prizren, Skenderaj/Srbica, Shtime/Štimlje, Štrpce/Shtërpçë and Vushtrri/Vučitrn.

⁸⁹ Municipalities of Dragash/Dragaš, Gračanica/Gračanicë, Kaçanik/Kaçanik, Kamenicë/Kamenica, Klinë/Klina, Klokot/Kllokot, Mamuša/Mamushë/Mamuša, southern Mitrovicë/Mitrovica, Obiliq/Obilić, Parteš/Partesh, Pejë/Peć, Rahovec/Orahovac, Ranilug/Ranillug, Suharekë/Suva Reka and Viti/Vitina.

⁹⁰ The Kosovo Language Commissioner included this issue in its 2013 annual report submitted to the Language Policy Board, as per Regulation No.07/2012 establishing the Office of the Language Commissioner (Art. 18).

⁹¹ Municipalities of Dragash/Dragaš, Gjilan/Gnjilane, Gračanica/Gračanicë, Kaçanik/Kaçanik, Kamenicë/Kamenica, Klinë/Klina, Lipjan/Lipljan, southern Mitrovicë/Mitrovica, Podujevë/Podujevo, Prishtinë/Priština, Prizren, Podujevë/Podujevo, Rahovec/Orahovac, Ranilug/Ranillug, Skenderaj/Srbica, Shtime/Štimlje, Viti/Vitina and Vushtrri/Vučitrn.

⁹² For instance, in Vushtrri/Vučitrn municipality, the translation of documents (mainly the central-level ones received in Albanian and Serbian) into Turkish, which is a language in official use, is provided by a Kosovo Turk administrative assistant; in Suharekë/Suva Reka municipality, interpretation during the municipal working group on return is provided by the head of the municipal office for communities and return; in Gjakovë/Đakovica municipality the municipal legal officer provides translation services when requested. From September 2012 until April 2013, Klinë/Klina municipality had no translator and, when necessary, translation was provided by members of the municipal office for communities and return.

⁹³ Only three interviewed interpreters/translators reported to possess a university degree in interpretation and translation, 17 reported different university degrees while 24 possessed only

As the OSCE has recommended in previous reports⁹⁴, a potential solution to these problems lies in strengthening the role of the Kosovo Institute for Public Administration as the primary training institution responsible for the general training of Kosovo civil servants, and for periodically reviewing and assessing the training needs of civil servants.⁹⁵

Summary of findings

Municipalities remain unable to fully implement the Law on the Use of Languages due to the fact that they remain largely understaffed with respect to interpretation/translation services. An insufficient number of translators, inadequate qualifications and inadequate working conditions often lead to poor quality translations. Municipal translation units should be established throughout Kosovo with qualified staff and adequate working conditions. The Kosovo Institute of Public Administration should play a key role in enhancing the proficiency of interpreters and translators within the civil service.



Road sign in Gjilan/Gnjilane municipality, 28 May 2014 – OSCE/Enis Ahmetaj

secondary degrees. Lack of experience is mainly visible in difficulties with the use of legal terminology, often resulting in translated provisions of different meaning.

⁹⁴ OSCE report *Multilingual Legislation in Kosovo and its Challenges*, note 3, *supra*, page 20.

⁹⁵ The mandate of the Kosovo Institute for Public Administration is regulated by UNMIK Administrative Direction No. 2003/25 implementing UNMIK Regulation No.2001/09 on the Executive Branch of the Provisional Institutions of Self-Government in Kosovo.

4.7. Displaying of multilingual street names and road signs

According to Article 9.2 of the Law on the Use of Languages: “Official signs indicating or including the names of municipalities, villages, roads, streets and other public places shall be displayed in the official languages and in the languages that have the status of official language in the municipality in accordance with Article 2.3.” Also, pursuant to the Law on Local Self-Government, municipalities have full and exclusive power to name municipal roads, streets and other public places.⁹⁶

With regard to municipal street names and road signs, the OSCE has found that there has been no major progress since previous OSCE assessments⁹⁷ as there are still very few street signs in rural areas, villages and neighbourhoods. While they generally comply with the “Ul/Rr./Street” format, street signs are still often non-compliant with legal requirements, for example, by displaying names of places only in one official language or misspelling the official names. Moreover, many municipal and village boundary signs appeared to have been removed, destroyed or defaced and had not been cleaned or replaced by municipal authorities. Nonetheless, only Štrpce/Shtërpce municipality reported to have openly condemned the defacement of signs⁹⁸, and only a few municipalities reported having taken action to clean or replace defaced or damaged signs, specifically in Gjilan/Gnjilane⁹⁹, southern Mitrovicë/Mitrovica¹⁰⁰ and Prizren¹⁰¹. On a positive note, a total of 18 municipalities¹⁰² have established permanent municipal commissions for naming streets and other public areas. The municipalities of Gjilan/Gnjilane and Viti/Vitina reported to be working through ad hoc commissions. Though the municipality of Štrpce/Shtërpce does not have a commission

⁹⁶ Law on Local Self-Government, note 73, *supra*, Articles 17 (o) and 40.2 (j).

⁹⁷ OSCE report *Implementation of the Law on the Use of Languages by Kosovo Municipalities*, July 2008, note 3, *supra*, <http://www.osce.org/kosovo/32762>; OSCE *Community Rights Assessment Report*, note 3, *supra*, pages 30–31.

⁹⁸ The Štrpce/Shtërpce deputy mayor for communities and municipal information officer reported that on one occasion in 2013 the municipality condemned the defacement of road signs at the entrance to the predominantly Kosovo Albanian village of Firajë/Firaja (Serbian name defaced) and Štrpce/Shtërpce (Albanian name defaced). The condemnation was in the form of a declaration given to local media outlets. Information provided to OSCE during interview conducted on 10 February 2014.

⁹⁹ The director of the municipal department of public services stated that signs in Gjilan/Gnjilane are regularly checked and replaced. The OSCE has noted only one defaced sign in place (Përlepnice/Prilepnice) as of March 2013.

¹⁰⁰ Information provided by the director of the municipal department of public services and confirmed by the OSCE regular monitoring.

¹⁰¹ Information provided by the director of the municipal department of public services and confirmed by the OSCE regular monitoring, though signs are not immediately cleaned/replaced after being defaced.

¹⁰² The municipalities of Deçan/Deçane, Dragash/Dragaš, Fushë Kosovë/Kosovo Polje, Gjakovë/Đakovica, Glogoc/Glogovac, Junik/Junik, Kamenicë/Kamenica, Klokot-/Kllokot-, southern Mitrovicë/Mitrovica, Novo Brdo/Novobërdë, Podujevë/Podujevo, Prishtinë/Priština, Prizren, Ranilug/Ranillug, Skenderaj/Srbica, Shtime/Stimlje, Suharekë/Suva Reka and Vushtrri/Vučitrn.

on naming streets, it is in the process of naming streets and installing road signs (in the Albanian and Serbian Cyrillic alphabets) as part of an internationally-funded project.¹⁰³

Summary of findings

Most municipalities remain non-compliant with their language obligations regarding street names and road signs, which often present incorrect spellings or are damaged or defaced. Municipalities should post language-compliant road signs and immediately mend, officially condemn and adequately sanction any defacement or destruction.

5. CONCLUSIONS

More than seven years after its promulgation, the Law on the Use of Languages remains only partially implemented due to insufficient human and financial resources, often accompanied by an insufficient understanding of municipal obligations and a lack of political will.

At the central level, the OSCE welcomes the reforms guaranteeing that the OLC will be provided with adequate human, logistic and financial resources, though the establishment of the Language Policy Network as a supporting mechanism is lagging behind the deadline.

At the municipal level, all municipalities have taken positive steps by adopting municipal regulations on the use of languages, though without holding public debates or awareness-raising events to inform the population about language rights. In addition, while various municipalities have recognized Bosnian and/or Turkish as official languages or languages in official use, Romani still lacks such recognition and protection, despite qualifying for it.

Most municipalities do not display multilingual signs in municipal public offices. Members of communities in a numerical minority at the municipal level continue to face problems in both verbal and written communication with the public administration when using their mother-tongue languages, even when these have the status of an official language at the municipal level or a language in official use. Those shortcomings are largely due to difficulties in the recruitment of civil servants proficient in official languages, an inadequate level of representation of some communities in the civil service, and the lack of adequate language training for civil servants – particularly those providing municipalities with translation services.

Although municipalities have increased their capacities to provide interpretation during municipal assembly sessions, inadequacies still exist when it comes to written translation of meeting minutes and municipal legal acts, due to insufficient human resources and political will. Municipal websites also remain largely unilingual, or fall far

¹⁰³ The United States Agency for International Development project “Democratic Effective Municipalities Initiative”.

short of municipalities' obligation to meaningfully facilitate access to documents and services in all official languages in the municipality.

Although the majority of municipalities have established translation units or have translation assistants, poor quality translations have resulted from a number of common problems, including an overload of work, an insufficient number of translators, inadequate qualifications and inadequate working conditions. Despite such shortcomings, neither the central level institutions nor any of the municipalities offer training opportunities for interpreters/translators.

Most municipalities remain non-compliant with their language obligations with regard to street names and municipal road signs, and have not undertaken necessary initiatives to repair or correct them when they have been defaced, damaged or have incorrect spellings.

6. RECOMMENDATIONS

To Kosovo municipalities

1. Conduct public campaigns to raise awareness of the Law on the Use of Languages and corresponding municipal language regulations, and allocate adequate financial, human and technical resources to ensure their full implementation;
2. Take steps to comply with Regulation No. 07/2012 requiring the appointment of language focal points in each municipality, whose contacts should be shared with the Office of the Language Commissioner. At the same time, municipal institutions should also notify the Office of the Language Commissioner with the details of all language assistants, interpreters and translators working for them;
3. Ensure all municipal signs and notices are displayed in all official languages or languages in official use, as is required to fully implement the Law on the Use of Languages;
4. Take into account language proficiency during recruitment and seek support from the central level to provide civil servants with adequate language training, in order to ensure the multilingual provision of services as required by Articles 7.2 and 8.1 of the Law on the Use of Languages;
5. Allocate adequate human and financial resources to improve interpretation, upon request, during all public meetings as required by Articles 7.3 and 8.4 of the Law on the Use of Languages;
6. Keep and issue all official municipal documents, including draft legislation, in all official languages to facilitate and encourage the participation of all communities in the drafting process and in public affairs, as required by Article 7.6 of the Law on the Use of Languages;

7. Ensure that municipal websites appear in all official languages of the respective municipality, as required by Article 7.2 and 7.4 of the Law on the Use of Languages and the Ministry of Public Administration AI No. 03/2011;
8. Ensure that a translation unit is established in each municipality and equipped with a sufficient number of qualified staff and adequate work conditions (e.g. office space and equipment, including dictionaries, computers and software), as a precondition for the full implementation of the Law on the Use of Languages;
9. Take immediate measures to post bilingual and multilingual road signs in all official languages in respective municipalities as required by Article 9.2 of the Law on the Use of Languages;
10. Immediately mend, officially condemn and adequately sanction any defacement or destruction of bilingual and multilingual street and road signs.

To the Kosovo Institute for Public Administration

11. Undertake training activities to ensure that municipalities are fully aware of the relevant legal and policy framework regulating equitable representation of communities in the civil service, with particular focus on positive action measures as required by Regulation No. 04/2010.
12. Develop and offer programmes to enhance the proficiency of interpreters and translators within the civil service, providing professional certified training on advanced interpretation and translation skills.

To the Ministry of Public Administration

13. Monitor and guide municipalities to ensure adequate implementation of the AI No. 03/2011 on the Web Pages of Public Institutions.

To the Ministry of Local Government Administration

14. Provide municipalities with advice and guidance related to their obligation to uphold the equal status and equal use of official languages in their work, in particular to draft and publish all local-level legislation in all official languages of the municipality regardless of its demographic composition, in line with Articles 7.3, 7.6 and 8.4 of the Law on the Use of Languages.

To the Office of the Language Commissioner

15. Raise public awareness among all communities and the general public on language rights, as well as on the role and mandate of the Office of the Language Commissioner, including available compliant mechanisms as foreseen by Regulation 07/2012 on the Office of the Language Commissioner;

16. Increase the monitoring of Kosovo institutions' compliance with their language obligations detailed by the Law on the Use of Languages;
17. Monitor and direct municipalities in the appointment of municipal focal points in order to establish a functioning Language Policy Network, as foreseen by Regulation 07/2012 on the Office of the Language Commissioner.

To the international community

18. Continue to advocate with Kosovo institutions to comply with language obligations as a key element for the protection of communities' rights and Kosovo's pluralistic democratic values.

Municipal
language compliance
in Kosovo

