



# SUPPORTING SERBIAN AND ALBANIAN LANGUAGE PROFICIENCY AMONGST KOSOVO MUNICIPAL CIVIL SERVANTS

November, 2018



European  
Union  
Kosovo

## Acknowledgements

Members of the Coalition would like to thank the interviewees from the different institutions and organizations for their willingness to participate and provide invaluable information and data for this report.

## Lead NGO for publishing the Report

**ECMI Kosovo** ([www.ecmikosovo.org](http://www.ecmikosovo.org))

ECMI Kosovo is the principal non-governmental organisation engaged with minority issues in Kosovo, with the overarching aim to develop inclusive, representative, community-sensitive institutions that support a stable multi-ethnic Kosovo. ECMI Kosovo contributes to the developing, strengthening and implementation of relevant legislation, supports the institutionalisation of communities-related governmental bodies, and enhances the capacity of civil society actors and the government to engage with one another in a constructive and sustainable way.

**Str. Nëna Terezë No. 20, Apt. 5,  
10000 Prishtina – Kosovo,  
Tel. +381 (0) 38 224 473**

**Str. Kralja Petra 183a  
38220 Mitrovica/Mitrovicë North,  
Kosovo**

## Equal Rights for All Coalition

ERAC brings together seven (7) NGOs that work in the domain of *rule of law* and *fundamental rights* that will work together with an additional *nineteen (19) grass root NGOs*, with a particular focus on the establishment of a sustainable network of NGOs that are active in the protection and promotion of the fundamental rights of vulnerable and/or marginalised groups. The project's special focus are the following groups: *all minority communities* in Kosovo, *women, youth* and *LGBT community*. Although working on similar topics and issues, these NGOs are often divided on the basis of the particular target groups they are working with or the region they are active in. By establishing structural cooperation between selected NGOs and providing formal opportunities for continuous learning, the action generates the sharing of knowledge and experience between NGOs, strengthens their capacities for advocacy with relevant central and municipal institutions, and increases their visibility.

ERAC members are the following organisations:

- European Centre for Minority Issues Kosovo – leader of the Coalition;
- Centre for Social Group Development – member of the Coalition;
- Centre for Equality and Liberty for the LGBT Community in Kosovo – member of the Coalition;
- Kosovo Center for Gender Studies – member of the Coalition;
- Youth Initiative for Human Rights – member of the Coalition;
- Kosovo Glocal – member of the Coalition;
- Centre for Legal Aid and Regional Development – member of the Coalition.

## Disclaimer

This publication has been produced with the assistance of the European Union. The contents of this publication are the sole responsibility of ECMI Kosovo and can in no way be taken to reflect the views of the European Union.

## Copyright

© Equal Rights for All Coalition (ERAC), July 2018. All rights reserved. No part of this publication may be reproduced, stored in retrieval system or transmitted in any form or by any means, electronic, mechanical, photo-copying, recording or otherwise, without the prior permission of ERAC.



# **SUPPORTING SERBIAN AND ALBANIAN LANGUAGE PROFICIENCY AMONGST KOSOVO MUNICIPAL CIVIL SERVANTS**



European  
Union  
Kosovo



# **CONTENTS**

---

<b>BACKGROUND.....</b>	<b>7</b>
Language Equality at the Municipal Level.....	8
The Human Factor: Language Skills of Municipal Public Servants.....	10
The Practice: Monolingual Municipalities.....	12
Remedies.....	14
<b>RECOMMENDATIONS.....</b>	<b>21</b>
<b>RELEVANT LITERATURE.....</b>	<b>24</b>

## **ACRONYMS**

---

<b>ECMI Kosovo</b>	European Centre for Minority Issues Kosovo
<b>ERAC</b>	Equal Rights for All Coalition
<b>EU</b>	European Union
<b>ICCPR</b>	International Covenant on Civil and Political Rights
<b>UNDP</b>	United Nations Development Programme
<b>UNMIK</b>	United Nations Interim Administration Mission in Kosovo

## BACKGROUND

Linguistic rights are essential for the effective protection and promotion of community rights and for ensuring equal rights for all. As an essential component of individual and collective identity, language occupies a prominent position in international human rights instruments. Over the past two decades there has been increasing recognition and affirmation of linguistic rights in international instruments, such as the United Nations' International Covenant on Civil and Political Rights (ICCPR) and the Council of Europe's Framework Convention for the Protection of National Minorities.<sup>1</sup> Central to protection of linguistic minorities and language rights is the principle of equality and the universal prohibition of discrimination based on language.<sup>2</sup> For minority communities in particular, the right to freedom of expression includes the right to use one's language in private and public affairs and to receive and impart information and ideas in a minority language.<sup>3</sup>

Kosovo has adopted extensive provisions for the preservation and promotion of its multilingual character, in line with these international human rights treaties, which are constitutionally binding in Kosovo. Albanian and Serbian are official languages and have equal status and equal rights as to their use in Kosovo institutions. At the municipal level, other languages can gain the status of official language if spoken by 5% of the population in a municipality. Turkish is recognized as an official language in the municipality of Prizren, regardless of the number of people speaking that language. The Law on the Use of Languages provides that official languages are used on an equal basis for meetings and work at the municipality. Every person in Kosovo has the right to communicate with the municipal authorities, and to receive available services and public documents, in either of these official languages, and it is the responsibility of every municipal representative and executive body to ensure that this is possible.<sup>4</sup>

In practice, however, there are serious challenges to the implementation of Kosovo's law on languages. The poor implementation of the Law on the Use of Languages has become somewhat paradigmatic for the gap between the theory of a multi-ethnic Kosovo and the reality of an increasingly divided society of parallel mono-ethnic worlds. International bodies repeatedly urge

<sup>1</sup> Constitution of Kosovo, Art. 22

<sup>2</sup> International Covenant on Civil and Political Rights, Art. 2 (1)

<sup>3</sup> Framework Convention for the Protection of National Minorities, Art. 9.1 & 10.1; see also UN Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities, Art. 2; and the OSCE Copenhagen Document Art. 32.1

<sup>4</sup> Law on the Use of Languages [No. 02/L-37], Art. 7(2)

Kosovo to improve the implementation of the Law on the Use of Languages. The latest Progress Report by the EU states that “stronger commitment and support by government institutions in mainstream policies is needed” and that “the implementation of the law on official languages remains low”<sup>5</sup>. This policy paper brings in the human factor by focusing on the limited language skills of municipal public servants as one of the major gaps in securing language equality at the municipal level. The paper builds on evaluations of long-term practical engagement of ECMI Kosovo in providing language training in Serbian and Albanian to municipal public servants, complemented with findings from earlier studies on the implementation of the Law on the Use of Languages at the municipal level and cross-references to case-studies from other multilingual countries in Europe. Based on an extensive analysis of the legal framework in place in Kosovo and advocacy talks with representatives of various competent institutions such as the Office for the language Commissioner and the Kosovo Institute for Public Administration (“KIPA”) the paper also provides recommendations for short and medium term solutions to address poor language skills of municipal public servants. It is suggested that the institutionalization of Serbian and Albanian language classes for municipal civil servants is the most effective way to secure effective communication and efficiency both within municipal authorities themselves, and also between such authorities and the communities they serve.

## **Language Equality at the Municipal Level**

Municipalities are arguably the level of government that is of most direct relevance for citizens through the provision of public services, the real-life contact with representatives of the state, and, for Kosovo in particular, the protection of minority rights and the inclusion of non-majority communities in the public sphere. Bilingual services promote inclusion, safeguard diversity, and ensure non-discrimination. They are key to establishing participation of all communities in the public sphere and for strengthening the legitimacy of the state at the local level. Inadequate municipal services in a particular language deter members of that community from seeking services and ultimately from participating in the public sphere. It also undermines the legitimacy of the state and can be harmful to interethnic relations. Only if the state, of which the municipality is the utmost representative in the everyday life of people, succeeds in providing high-quality services in the languages of all communities, can it claim to represent the interests of all its citizens and begin to promote and protect stable interethnic relations in society. Considering Kosovo’s history of ethnic conflict, in which language often served as a central marker of division and discrimination, the challenge is all the more pressing.

<sup>5</sup> European Commission, Kosovo 2016 Progress Report, p.28. Available at [https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key\\_documents/2016/20161109\\_report\\_kosovo.pdf](https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key_documents/2016/20161109_report_kosovo.pdf).



International human rights treaties stipulate that administrative authorities should deal with minorities in an inclusive and equitable manner, in line with the principles of equality and non-discrimination.<sup>6</sup> The effective participation of minorities necessitates minority representation and the possibility to effectively communicate their specific concerns and needs and actively participate and influence decision-making.<sup>7</sup> Public authorities are therefore required to enable persons belonging to national minorities to deal with local authorities in their language. Evolving international standards increasingly recognize that positive measures are required to ensure “full and effective equality between persons belonging to the national minority and those belonging to the majority” and effective participation in political and public life.<sup>8</sup> States are obliged to ensure that administrative authorities (including at a local and regional level) use the regional or minority languages, and demands that those officers “as are in contact with the public” use the minority language “in their relations with persons applying to them in these languages.” The Charter specifies that measures should be taken to allow and encourage: oral or written applications, and replies in the relevant minority language; the publication of official documents in minority languages; and the use of languages in assembly debates. The Charter and the Oslo Recommendations recognize that realization of these provisions may require the provision of adequate translation or interpretation, and also appropriate recruitment and training policies and programs.<sup>9</sup>

Kosovo legislation fully subscribes to these regulations. Citizens have the equal right to freely use official languages in their relations with Kosovo central and municipal authorities.<sup>10</sup> Citizens thus have the right to communicate with municipal institutions and their officials, as well as to receive available services and public documents, in any of the official languages.<sup>11</sup> All official documents and records, including but not limited to “records of meetings, official records of municipal representative and executive bodies, public registers”, must be made available in both official languages.<sup>12</sup> Furthermore, all regulations and acts adopted by municipal institutions, including the Mayor and the Municipal

---

<sup>6</sup> Oslo Recommendations, Explanatory Note, paragraph 15; Framework Convention for the Protection of National Minorities, Art. 10(2); European Charter for Regional of Minority Languages, Art. 10; see also OSCE Copenhagen Document, paragraph 34.

<sup>7</sup> Framework Convention for the Protection of National Minorities, Art. 15; see also UN Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities, Art. 2(2) and Art. 2(3), and the OSCE Copenhagen Document, paragraph 35

<sup>8</sup> Framework Convention for the Protection of National Minorities, Art. 4(2)

<sup>9</sup> European Charter for Regional of Minority Languages, Art. 10(4) and OSCE Oslo Recommendations, paragraph 14.

<sup>10</sup> Constitution of Kosovo Art. 59 (6); Law on the Use of Languages [No. 02/L-37], Art. 2.2.

<sup>11</sup> Law on the Use of Languages [No. 02/L-37], Art. 7.2.

<sup>12</sup> Law on the Use of Languages [No. 02/L-37], Art. 7.4.

Assembly, must be printed and published in the official languages.<sup>13</sup> In the work and meetings of municipal institutions and municipal representative bodies, as well as in public meetings organized by them, all municipal official languages should be used on an equal basis. Translation of working documents and interpretation during meeting must be provided upon request.<sup>14</sup> Municipal institutions must ensure that their work environments are conducive to the effective use of official languages, such that the use of any official language by staff is encouraged and accommodated.<sup>15</sup>

## **The Human Factor: Language Skills of Municipal Public Servants**

Numerous studies have been conducted over the years by governmental and international and local non-governmental organizations. All have pointed at a series of serious shortcomings in the implementation of the Law on the Use of Languages. Focusing on the municipal level, these studies have extensively showed that the insufficient knowledge and use of official languages and the inadequate provision and poor quality of translation negatively affects the effective participation in municipal affairs and access to services for non-majority citizens.<sup>16</sup> These studies, however, tend to focus on professional translators, equipment and tools, and legislation. They overlook the language knowledge of the people who are actually providing public services in the municipality in different languages in written and oral form. In order to be able to effectively provide services to citizens indifferent languages, municipal public servants should professionally master all languages in official use in the municipality. This particularly applies to those public servants in direct contact with citizens. In accordance with the law, these public servants should be able to provide information in written and orally to citizens in all official languages of the municipality and Serbian and Albanian by definition.<sup>17</sup> These public servants in a way personalize the state and the multilingual character of Kosovo. If these public servants do not sufficiently master official languages, members of minority communities will be discouraged from consulting the municipalities and withdraw from the public sphere.

<sup>13</sup> Law on the Use of Languages [No. 02/L-37], Art. 7.6.

<sup>14</sup> Law on the Use of Languages [No. 02/L-37], Art. 7.3 and Art. 8.3, see also Administrative Instruction on Determination of Procedures for Implementation of Law on the Use of Languages [MLGA AI No. 2007/06], Fourth Part, Section 7, Art. 7.1.

<sup>15</sup> Law on the Use of Languages [No. 02/L-37], Art. 7.5.

<sup>16</sup> Office of the Language Commissioner (OLC) / Office of the Prime Minister (2015). Monitoring and Evaluating Language Rights in Kosovo. Available online at [http://www.komisioneri-ks.org/repository/docs/Anlisht\\_Finale\\_160315.pdf](http://www.komisioneri-ks.org/repository/docs/Anlisht_Finale_160315.pdf)

OSCE (2012). Multilingual Legislation in Kosovo and its Challenges. <https://www.osce.org/kosovo/87704?download=true>

OSCE (2015). Municipal Language Compliance in Kosovo. <https://www.osce.org/kosovo/120010?download=true>

<sup>17</sup> Law on the Use of Languages [No. 02/L-37], Art. 7.2.

However, the need for language skills goes further than those public servants in direct contact with citizens. Bilingualism in the professional environment is also key to the integration of employees of various communities in local institutions in mixed municipalities. Members of minority communities enjoy the constitutional right to equitable representation in public bodies and publicly owned enterprises at all levels.<sup>18</sup> Article 101(1) of the Constitution further stipulates that the composition of the civil service “shall reflect the diversity of the people of Kosovo”. At the municipal level, a number of reserved positions corresponding to the percentage of communities in the given municipality should be reserved for qualified community members.<sup>19</sup> Municipal officials have the right to use either of the official languages in their work and municipal institutions must ensure that their work environments encourage the effective use of any official language by their officers and employees.<sup>20</sup> Every institution is required to actively undertake positive measures to promote the use of the two official languages among all employees, and report on the numbers of employees able to or wish to communicate in Kosovo’s two official languages.

Notwithstanding the legal provisions foreseen to ensure equal representation of minority communities, the extent to which a minority community member is able to effectively participate in municipal affairs often depends on the level of official language knowledge. Where opportunities to learn official languages and institutional multilingualism are lacking, weak knowledge of an official language can present a significant barrier both for employment, effective participation and for access to services. Weak knowledge of official languages by community members has been highlighted as one of the main obstacles to achieving equal representation of minority communities in public institutions.<sup>21</sup> In addition, low levels of bilingualism among municipal staff increases the demand for the services of municipal translators, or the dependence on assistance from other municipal servants with language knowledge.<sup>22</sup>

---

<sup>18</sup> Constitution of Kosovo, Art. 61

<sup>19</sup> Law on the Civil Service of Kosovo [Law No.03/L –149], Art. 11(3)

<sup>20</sup> Law on the Use of Languages [No. 02/L-37], Art. 7.5

<sup>21</sup> Office for Community Affairs/ECMI Kosovo, Policy Study I: Employment of Members of Non-Majority Communities within Kosovo Civil Service and Publicly Owned Enterprises, p.103

<sup>22</sup> For example, out of 63 municipal officials interviewed by ECMI, 42 indicated that they consult a colleague if they do not have knowledge of the language, while 15 mentioned their use of municipal translators/ interpreters (multiple answers were possible).

## The Practice: Monolingual Municipalities

Taking the above into consideration, it is particularly worrying that the language skills of municipal public servants are generally poor and that such skills are dropping with age. Preliminary research by ECMI Kosovo in 2010 among municipal public servants in five municipalities found that knowledge of Albanian is very low among non-native speakers, particularly in the Serbian community, with a large majority speaking no Albanian at all. The majority of native Albanian-speakers self-evaluate their knowledge of Serbian as intermediate, which means that communication in Serbian is possible, but that its use in the professional context is limited, which places a significant strain on inter-office communication. Nearly all municipalities had a significant number of offices using Albanian as the only working language, which can significantly marginalize non-Albanian speakers. Moreover, for non-native Serbian and Albanian speakers, language knowledge is dropping with age. The younger the municipal officer, the poorer his or her knowledge of the second official language.<sup>23</sup> A follow-up research conducted under the auspices of the Office of the Language Commissioner in 2015 found that, as far as language representation (mother tongue) of civil servants in the municipal public institutions is concerned, there is a trend of increasing monolingualism.<sup>24</sup>

This trend of growing monolingualism is reflected in the lack of language compliance for official documents, municipalities' websites and signs, and municipal job postings. In many municipalities, official documents are translated irregularly and the quality of the translation is often poor, although the law requires that all official documents are translated in both languages. In violation of the law, municipal meetings are often held in one language exclusively, without translation, which hampers participation of non-native speakers, particularly considering the low knowledge of the second official language. In these circumstances, municipalities have to rely on specialist translation services (in-house or outsource), which comes at increased costs and is difficult to find due to the lack of specialist translators in Kosovo.<sup>25</sup>

---

<sup>23</sup> ECMI Report on Language Competencies of Municipal Officials, 2010, p. 38.

<sup>24</sup> Office of the Language Commissioner (OLC) / Office of the Prime Minister (2015). Monitoring and Evaluating Language Rights in Kosovo, pp.25–26. Available online at [http://www.komisioneri-ks.org/repository/docs/Anlisht\\_Finale\\_160315.pdf](http://www.komisioneri-ks.org/repository/docs/Anlisht_Finale_160315.pdf)

<sup>25</sup> Office of the Language Commissioner (OLC) / Office of the Prime Minister (2015). Monitoring and Evaluating Language Rights in Kosovo. Available online at [http://www.komisioneri-ks.org/repository/docs/Anlisht\\_Finale\\_160315.pdf](http://www.komisioneri-ks.org/repository/docs/Anlisht_Finale_160315.pdf)

OSCE (2012). Multilingual Legislation in Kosovo and its Challenges. <https://www.osce.org/kosovo/87704?download=true>

OSCE (2015). Municipal Language Compliance in Kosovo. <https://www.osce.org/kosovo/120010?download=true>

In the absence of institutionalized opportunities for in-house language trainings to public servants, ECMI Kosovo in 2011 launched a pilot project to enhance the language capacities of municipal public servants with funding from the OSCE High Commissioner on National Minorities and Office of the Language Commissioner/ Office of the Prime Minister. In 2011, Serbian and Albanian language training was piloted in one municipality, and the programme was gradually expanded after this. In 2012, the programme covered three municipalities; in 2013, it was expanded to 10 municipalities across the country and gained 295 participants. In 2014, ECMI made a particularly significant step in expanding the programme to four predominantly Kosovo Serb municipalities South of the Ibar/Ibër river as well as the Mitrovicë/Mitrovica North Administration Office. In 2015, ECMI taught in 13 municipalities, reaching 286 officials; in 2016, 12 municipalities were involved with 363 individuals. In 2017, local elections and reduced funding meant it was impossible for ECMI to negotiate an agreement with certain municipalities; however, two months of courses were implemented in seven municipalities.

The courses follow a curriculum for basic and advanced Serbian and basic Albanian. Teaching material was taken from a number of textbooks for learning Serbian and Albanian as a second language. Courses were held during the working hours, in order to make participation more attractive, although there were problems with employees in direct contact with the public where posts were understaffed. Midterms were conducted as a method for participants to evaluate their progress during the course. Participants received a certificate of attendance upon completion of the course if they demonstrated regular attendance and commitment to language learning.

ECMI's courses have seen notable success and received very positive feedback. To highlight this, in 2016 the satisfaction of participants was rated at 4.19 and 4.48 out of 5 for the Albanian and Serbian language courses respectively; in 2017 these were even higher at 4.33 and 4.55 respectively on the same scale. Attendance was relatively high, with 75% regular attendance in 2016 and 59% regular attendance in 2017. A number of qualifications in regards to these attendance figures, however, should be noted: Often the official dropout rates were skewed as lists of attendees provided by municipalities were not updated from the previous year and therefore included persons who were not able to attend the course at all. A particular issue was that many participants often had conflicting commitments during the timeframe of the courses; this was exacerbated by the fact that the courses were intended especially for those individuals involved in contact with the public, who would often be called in the midst of classes to deal with such members of the public. Overall,

the courses highlighted significant progression in those who attended on a regular basis and completed the course, and corresponding improved communication within the office environment in such individuals was seen.

## Remedies

Kosovo of course is not the only multilingual country in the world. In most multilingual countries, central-level administration is multilingual and bilingualism is a condition for employment. Canada's Constitution prescribes both English and French as official languages, with equality of status. Around 40% of federal government posts must be filled by bilingual speakers, and the federal government gives bilingual employees a 800 CAD bonus annually.<sup>26</sup> In Swiss federal government, services are offered to the public in all official languages: German, French, and Italian. Furthermore, Article 20 of the Federal Act on the National Languages and Understanding between the Linguistic Communities states, "the Confederation shall encourage its employees to further their knowledge of the national languages."<sup>27</sup> In Belgium, finally, professional knowledge of Dutch, French, and German is a requirement for public servants, as in communication with citizens and other government institutions, public servants use the language of their region.

As for the local government, multilingual language services are restricted to those areas that are multilingual. In Canada, each province and territory of Canada is able to set regulations with regard to language use. The province of New Brunswick is the only bilingual province of Canada. French and English are both official languages, and require equal use in government services as stated in the Official Language Act of New Brunswick.<sup>28</sup> Switzerland's cantons have the authority to choose their own official languages, and most are unilingual; therefore, an Italian-speaking person seeking cantonal services in a German canton may not be accommodated in their first language.<sup>29</sup> Unilingual services at the canton-level are typically not problematic in Switzerland largely due to the strong territorial divisions of languages across the country. In Belgium, finally, municipalities are in principle unilingual. However, in the bilingual capital region of Brussels public service is bilingual. A number of bilingual municipalities on the language borders must offer linguistic services to residents in Dutch, French, or German. In addition to their official languages speakers of the non-dominant language have the right to use their language in their communication with public institutions.<sup>30</sup>

<sup>26</sup> <http://www.officiallanguages.gc.ca/en/timeline-event/bilingualism-bonus-federal-public-servants-introduced>

<sup>27</sup> <https://www.admin.ch/opc/en/classified-compilation/20062545/201701010000/441.1.pdf>

<sup>28</sup> <http://officiallanguages.nb.ca/faq>

<sup>29</sup> <https://www.uottawa.ca/clmc/internationalperspective/switzerland>

<sup>30</sup> <https://portal.cor.europa.eu/divisionpowers/countries/membersLP/Belgium/Pages/default.aspx>

Finland, which is officially bilingual in both Finnish and Swedish, ensures that this bilingualism is reflected throughout its government institutions. State personnel required by statute to have an academic degree are required, in bilingual authorities, to have an excellent ability to speak and write the language of the majority in the authority's district and satisfactory ability to speak and write the other language. The requirement in a unilingual authority is an excellent ability to speak and write the language of the authority and a satisfactory ability to understand the other language.<sup>31</sup> These abilities are tested by state administration language examinations in Finnish and Swedish, operated by the National Board for education.<sup>32</sup> Significantly, municipal authorities must ensure the sufficient language capability of their employees by organizing lessons or other policy measures when this is necessary in order to fulfill the tasks of the authority properly.<sup>33</sup> Recently, the government has also launched a program of training on linguistic rights for Government officials and state civil servants, for implementation between 2017 and 2020.<sup>34</sup>

The absolute basic prerequisite for the provision of multilingual public services in multilingual states is an education system which teaches children the other official languages from an early age. In Kosovo, however, the education system is currently divided in a Serbian and Albanian-language curriculum, and neither provides education of the second language. In fact, the relatively good knowledge of Serbian among native Albanian-speakers in municipal offices dates back to obligatory learning of Serbian as second language for Albanian children in Socialist Yugoslavia (vice versa, Albanian was rarely taught in a systematic manner to Serbian-speaking children). Since the 1990s, however, this practice has been abolished, explaining the dropping knowledge of Serbian and Albanian among non-native speakers for younger generations. This is the major shortcoming for addressing the problem of monolingualism in Kosovo municipalities in the long-term. Looking once again to a positive example in Finland, it can be noted that the Finnish board of education is highly supportive of Swedish and Finnish education as a second language, meaning that over 98% of students in grades 7–9 study the alternative official language in addition to their main language of schooling.<sup>35</sup> The effects of this are reflected in the high levels of bilingualism in the civil service and in the population as a whole.

<sup>31</sup> Finnish Ministry of Justice, Act on the Knowledge of Languages Required of Personnel in Public Bodies No. 424/2003, Section 6(1)

<sup>32</sup> Ibid. Sections 10–11

<sup>33</sup> Ibid. Section 2

<sup>34</sup> Finnish Ministry of Justice, Action Plan for the Strategy for the National Languages of Finland, 28 February 2017, [https://oikeusministerio.fi/documents/1410853/4734397/ActionPlan\\_StrategyfortheNationalLanguages.pdf/5513fe14-d092-4404-9ec1-d3a6e6a354af/ActionPlan\\_StrategyfortheNationalLanguages.pdf.pdf](https://oikeusministerio.fi/documents/1410853/4734397/ActionPlan_StrategyfortheNationalLanguages.pdf/5513fe14-d092-4404-9ec1-d3a6e6a354af/ActionPlan_StrategyfortheNationalLanguages.pdf.pdf)

<sup>35</sup> <http://www.efnil.org/documents/conference-publications/london-2011/the-role-of-language-education-in-creating-a/15-Pirkko-Nuolijarvi.pdf>

In light of the necessity for improving second language education in Kosovo, ECMI has undertaken an initiative to remedy this problem through its EU-funded project 'Support to Education in Serbian Language in Kosovo'. This project aims to improve the quality of Serbian language education throughout Kosovo and to increase the representation of minority communities within Kosovo institutions. Amongst the objectives of the project are: mapping and evaluating the status of Serbian-language education in Kosovo; supporting MEST in creating a roadmap for the legal and institutional development of Serbian; and verifying diplomas issued by the University of Mitrovica/Mitrovicë North to allow its graduates to enter Kosovo's public institutions. In a similar vein, ECMI has also been part of a recent and extremely crucial decision of the Government of Kosovo to establish a working group in relation to Serbian-language education in the country. Under Article 4 of this decision, this working group will produce "a general analysis of the state of play of Serbian language education in of Kosovo, which will serve as a document for the long-term strategy of Kosovo for the inclusion of the Serbian language education in the institutional framework of Kosovo".<sup>36</sup> This decision is a critical development in the normalisation of both Albanian and Serbian language education in Kosovo, and long-term will hopefully encourage an increase in bilingualism in those educated in both sectors.

Another positive step in this context is the commencement of a pilot language awareness project by the Council of Europe within the Kosovar education system. This project, which will take place from May 2018 until April 2020, aims to "promote a positive image of local and regional plurilingualism and pluriculturalism as a social, cultural and economic asset, access to language learning and education for democratic citizenship as contributions to the rapprochement between communities".<sup>37</sup> This will be actualised through a range of outputs: studies on the linguistic and cultural attitudes of young people; different formats of capacity-building with school teams and a range of school-based projects for language awareness and language learning; and an evaluation study, ensuing a set of recommendations based on an analysis of findings. The Council of Europe will work with around 10 pilot schools across Kosovo for this project, and will also attempt to connect each school with other schools throughout Europe in order to arrange exchanges and visits for pupils.

Also notable in this regard are a number of other activities undertaken by the Office for the Language Commissioner ("OLC") and affiliated parties promoting

---

<sup>36</sup> Decision of the Office of the Prime Minister No 251/2018, 16 August 2018, Art. 4

<sup>37</sup> Council of Europe, Fostering Rapprochement through Education for Democracy and Language Learning, <https://rm.coe.int/fostering-rapprochement-through-education-for-democracy-and-language-l/16808e8be1>



language awareness amongst children. In particular, the OLC is currently endeavoring to popularize the learning of both official languages through a variety of mediums: online resources; mobile phone applications; and through language lessons on the state-run RTK TV.<sup>38</sup> These are pointed at present to the achievement of A1 level by participants; there are also plans to expand capacity to A2 level. Moreover, the Office also coordinates regular events and activities focused on language awareness, especially amongst children of a school age.<sup>39</sup>

Notwithstanding the positive activities undertaken by the COE and the OLC, the need for greater plurilingualism within the Civil Service in Kosovo necessitates further action. The introduction of Albanian language teaching in Serbian schools and Serbian language teaching in Albanian schools is very politically sensitive, and therefore remains some years away. Even if this is eventually introduced into primary and secondary education, there will still be a two-decade gap before students educated to a sufficient level in the other official language will start to enter the civil service. Whilst the focus on education is therefore key for the long-term future of language proficiency in Kosovo institutions, the sole focus on this will create a 'generation gap' where an entire generation at least, if not more, of the civil service will be essentially monolingual. This will inhibit communication intra municipal offices; moreover, it will restrict officials' ability to interact with the communities around them. Hence, it is necessary that KIPA and the other relevant Kosovo institutions concentrate also on promoting language proficiency in the official Kosovo institutions in the short term.

Short term actions are certainly possible, building on the awareness of municipal public servants that there is a need to provide public services in all official languages.<sup>40</sup> According to the Law on Communities, Kosovo should develop public employment programs and other targeted measures to help minority communities overcome direct and indirect discrimination and meet standards for admission to positions in public services.<sup>41</sup> The provision of certified in-service multi-lingual training for civil servants is foreseen in the Regulation regarding the mandate of the reformed Office of the Language Commissioner.<sup>42</sup> However, opportunities for municipal officials to learn official languages remain very limited. Neither the central institutions, nor any of the municipalities offer training opportunities in the two official languages for municipal civil servants.<sup>43</sup>

---

<sup>38</sup> Interview with Language Commissioner Slaviša Mladenović, October 2018.

<sup>39</sup> Ibid.

<sup>40</sup> ECMI Report on Language Competencies of Municipal Officials, 2010, p. 38.

<sup>41</sup> Law on Communities, Art. 9(2) and 9(6)

<sup>42</sup> Regulation 07/2012 on the Office of the Language Commissioner, Art. 20 (3.3)

<sup>43</sup> Office for Community Affairs/ECMI Kosovo, Policy Study I: Employment of Members of Non-Majority Communities within Kosovo Civil Service and Publicly Owned Enterprises, p. 92

KIPA, which is the main institution responsible for the implementation of training and education policies and strategies and capacity building in the Civil Service,<sup>44</sup> has not provided any training to increase the linguistic capacities of municipal officials since 2011-2012.<sup>45</sup> The 2016 - 2020 Training Strategy for Municipal Officials in Kosovo, produced by KIPA, however, does not indicate any steps toward advancing language acquisition in municipal offices.<sup>46</sup> It may be noted that KIPA at present is attempting to 'mainstream' language requirements, for example stressing the importance of direct compliance with the Law on the Use of Languages during staff training days.<sup>47</sup> However, the main goals of KIPA for the Training Strategy period fall under five overarching objectives: namely, capacity building focusing on trainings for professional integrity; European Union membership; administrative services; information technology; and the centralization of finances. Nonetheless, the stated mission for the training of civil servants by KIPA is to strengthen the rule of law, democracy, and European integration. Language training is integral to all of the aforementioned functions: it is an objective in itself as well as an aid in the fruition of other goals, such as improving administrative services and progressing toward European Union membership.

KIPA at present does not possess the capacity to provide language training for municipal civil servants: this is attributable to a lack of financial and human resources. Whilst from 2011-2012 KIPA did provide language training for civil servants, the capacity to continue to do so at present is lacking.<sup>48</sup> KIPA's role is essentially executive; the institute lacks policy-making capacity and is reliant on the Ministry of Public Administration for strategic decisions and allocation of budget. To implement institutionalized Albanian and Serbian language teaching programmes is therefore a political decision, reliant on the political will of the Ministry of Public Administration. It would also require external support from ECMI Kosovo and possibly other relevant stakeholders.

In light of the above, the need for institutionalized language training should be considered by the Ministry of Public Administration as a greater priority. Undoubtedly, there are difficulties with regards to funds and resources; however, given the widespread positive effects of providing such language lessons, it is posited that the allocation of resources to do so would be undoubtedly justified.

---

<sup>44</sup> Law on the Civil Service of Kosovo [Law No.03/L – 149], Art. 10

<sup>45</sup> Interview with Mr. Enver Haxhijaj, Director of Trainings at KIPA, November 2018

<sup>46</sup> Plan of action for three year period 2016-2018 for implementation of the strategy on training of civil servants 2016-2020, <https://map.rks-gov.net/getattachment/649247f0-f60a-4fd0-aae6-30ab39c933ac/>.  
[aspx](#).

<sup>47</sup> Interview with language Commissioner

<sup>48</sup> Interview with Mr. Enver Haxhijaj, Director of Trainings at KIPA, November 2018

ECMI Kosovo's activity in providing such training has seen significant progress and results; this work should be continued by KIPA itself. ECMI Kosovo is willing to provide coordination and support based on its experience and expertise in language training. A transition to institutionalized coordination of such language lessons can be considered to have several structural benefits. Firstly, it will bestow increased legitimacy upon language lessons, as these will have their basis in central government, rather than in an external actor such as ECMI. Similarly, it will make language classes far easier to monitor, as responsibility for doing so will be transferred to the internal structures of municipalities, rather than with ECMI and its partners, who would often not be in the right location or have capacity to monitor and encourage attendance and participation in the courses to the same extent as would be possible for municipal authorities themselves. It has been noted in ECMI Kosovo's experience that the lack of institutionalized support language courses for implies that the financial base for organizing the language classes is insecure and continuously dependent on external funding and engagement. It also jeopardizes the quality of the courses. Continued organization of the courses is crucial for success, but depends on the political will of municipal governments. Specialized teachers are scared off by the insecurity of the job. Financial means for specialized teaching material is lacking, which implies that the teachers have to use material from non-specialized textbooks.

Most importantly, the work of ECMI Kosovo must be institutionalized within Government structures in order to capitalize on the years of work and progress made by language courses held from 2011-2017. These courses saw significant progression in those who participated and received highly positive feedback from participants. Over their course, they benefitted over 1000 civil servants. The impact of this on improving community relations cannot be overstated. ECMI Kosovo's 2010 research found that whilst 89% of municipal civil servants considered it important to speak both official languages, this was not reflected in their actual capabilities. Knowledge of Albanian amongst non-native speakers was concerningly low, with 68% of those surveyed having basic or no knowledge of the language, and negligible numbers of advanced speakers. Knowledge of Serbian for non-native speakers was higher; however, only 14% had advanced Knowledge of the language and 20% had none or basic understanding, whilst 44% had intermediate knowledge. These figures suggest that the fulfillment of the law on the Use of Languages at municipal level is lacking, and that measures need to be taken in order to change this situation. Moreover, knowledge of both official languages is increasingly lower amongst younger and newer municipal servants, reflecting the changes in education structure in the 1990s. This stresses

the importance of implementing institutionally-led language lessons in order to avoid a dangerous 'generation gap' in which communication between municipal civil servants and the communities they serve is so limited as to be extremely harmful to the efficiency of local government. Participants in ECMI-led language courses expressed a general interest and will to continue language lessons. As aforementioned, they rated the courses very positively and indicated their value in improving their professional capabilities. This demonstrates the usefulness of such courses and the great value of their continuation on an institutional basis.

ECMI Kosovo is presently engaged in a process of producing Albanian and Serbian-language textbooks tailored for teaching municipal officials in Kosovo. This project is funded by the OSCE High Commission for National Authorities. A working group, constituted of two Serbian language and two Albanian language teachers previously engaged in ECMI's language teaching project, is responsible for the creation of such textbooks. These textbooks are guided by the experiences of ECMI in providing language classes and are tailored to improve communication for those in municipal offices specifically. This involves a focus upon the everyday activities of such officials, and avoids an unnecessary and unengaging heavy focus on grammar. The textbooks will provide for teaching at A1, A2 and B1 level, with three textbooks at each level in each language. These textbooks will need to be piloted before wider implementation. It is hoped that KIPA, through cooperation with ECMI, can utilise these textbooks within a process of institutionalization of language-teaching in the near future.

## RECOMMENDATIONS

- For addressing the growing monolingual character of municipalities, it is absolutely necessary that opportunities for studying the second official language of the country are provided in formal education. This includes learning the basics of the second language at a young age as well as specialist linguistic studies at the university level (both of which are absent in Serbian and Albanian-language education in Kosovo). Compliance with the 2006 Law on the Use of Languages and the Constitution requires greater bilingual proficiency within the Kosovar Civil Service, notwithstanding the simultaneous positive effect this will have upon inter-community relations. It seems paradoxical that Kosovo self-defines as a bilingual State, and yet at present neither Albanian nor Serbian language schools teach the other official language. Undoubtedly, this is a politically sensitive issue and cannot be resolved overnight. However, the need to expand second language education of the official languages should be a long-term priority of the Kosovar government as a whole. The promotion of language awareness, especially for young children, is therefore to be encouraged with a view to fostering official language teaching in both Serbian and Albanian schools in the long term.
- In-house language trainings of Albanian and Serbian for non-native speakers should be institutionalized and formalized in all Kosovo municipalities.
- The Ministry of Public Administration should formulate a policy for the institutionalisation of language courses, for implementation by KIPA. The Law on the Kosovo Institute of Public Administration delegates the responsibility for professional training of central and local officials to KIPA.<sup>49</sup> Building on the pilot project conducted by ECMI Kosovo and the expertise available at the Office of the Language Commissioner, KIPA should establish a training package for public servants to learn the second official languages. A targeted curriculum should be determined and accompanying targeted teaching material should be developed. Municipalities could use the Voc-Up language platform created by the International Organization for Migration, the OLC, and the Center for Social Initiatives in North Mitrovica with funding by the British Embassy.<sup>50</sup>
- The implementation of such a course should be undertaken by a newly created branch of KIPA by the Ministry of Public Administration specifically for this purpose. At present, KIPA is overworked and under-resourced, and

<sup>49</sup> Law No. 04/L-221 on Kosovo Institute for Public Administration.

<sup>50</sup> <https://www.voc-up.com/>

passing implementation to the body as a whole will prevent the effective implementation of language lessons. The establishment of a new department within KIPA for handling the implementation of language teaching will allow for effective implementation. Such a department can enter into dialogue with ECMI Kosovo for direction and guidance on the formulation of such a training package.

- The course should be voluntary and organized during the working hours. To encourage attendance, success in such training could be an aspect of civil servants' performance evaluation. In the long-term, attendance in courses should be made obligatory at least for selected key positions. It is also considered that prior to the commencement of such courses, municipalities should make a list of individuals who should attend the course and in what capacity they are working. This would help monitor attendance of the course by participants. Crucially, it also means that the official language courses will be implemented for those who will most benefit from it, i.e. those employees involved in significant contact with the public.
- The course should use the Serbian and Albanian language textbooks currently being drafted by ECMI Kosovo. These are tailored to the needs and for the engagement of municipal civil servants in their everyday roles. They have been drafted in light of the experiences of ECMI's involvement in language proficiency in the Civil Service from 2010 until 2017, and as such should be by far the most appropriate resource for future language teaching in this capacity when compared to other second language textbooks available. These textbooks should be piloted before full implementation; it is suggested that KIPA does so in the near future after engaging in further dialogue with ECMI Kosovo.
- The Ministry of Public Administration should introduce standard language examinations for the assessment and certification of language knowledge levels that will be recognised in recruitment into the public service or will serve to determine the need for language training. The Office of the Language Commissioner has indicated that it is currently in the process of producing such an assessment for applications for bilingual positions within the civil service.<sup>51</sup> At present, most applicants and employees within the public sector have to 'self-assess' their language capabilities, which generates the obvious concerns of inaccuracies and overestimations in order for such individuals to bolster their own career prospects. For this reason, the project of the OLC should be supported by all relevant parties and be implemented across municipal institutions as soon as possible.

---

<sup>51</sup> Interview with Language Commissioner Slaviša Mladenović, October 2018.

- The need for support of language courses from the hierarchies within each individual municipality is paramount. In ECMI's experience, it has been noted that in municipalities where directors and other senior members of municipal administrations played a more active part in encouraging participation within and sustained attendance of language courses, such courses have seen more positive results than when the opposite was the case. The institutionalisation of language teaching at municipal level would therefore benefit significantly from the support of those in management-level positions, and this is something that should be stressed vigorously upon its implementation.
  
- In-house institutionally led language-training should also follow a long-term strategic structure in order to foster the best results. ECMI's language courses from 2011–2017 were structured on a yearly basis; each year it was necessary to reapply for funding from the OSCE HCNM and the OLC. This was somewhat impeding to the wider progress of participants, as it meant that courses had to be planned and initiated in a very short time period, with less concern being given to the long-term development of each individual's competencies. Moreover, this also created difficulties with the continued participation of individuals, with some not continuing with courses, or alternatively no longer being employed within the municipal institutions. The institutionalisation of language teaching would allow for longer-term objectives to be pursued, and this is something KIPA should follow should it, as recommended, commence in-house language training.
  
- Bilingualism should not be a requirement in the recruitment of most municipal officials, as this would put those with a lack of opportunity for prior dual language acquisition at a disadvantaged position. Language remains a hugely sensitive issue throughout Kosovo, and such a requirement could be detrimental to inter-community relations in the municipalities. Furthermore, given the relatively low levels of bilingualism in both official languages particularly amongst the younger generations in Kosovo, the establishment of such a requirement is somewhat unrealistic. It could also reduce quality, by hugely advantaging applicants with better language capabilities over those with more all-round ability and suitability to the position at hand. Instead, monetary or non-monetary incentives for knowing the official languages should be installed. This could range from a language incentive pay program to reward language proficiency and promulgate bilingualism to the inclusion of language proficiency in evaluation programs. The introduction of certificated testing for language capabilities by the OLC will also be crucial to encouraging bilingualism within municipal institutions, as this will set a genuine point of reference for actual language capabilities amongst municipal civil servants.

## **RELEVANT LITERATURE**

---

Administrative Instruction on Determination of Procedures for Implementation of Law on the Use of Languages [MLGA AI No. 2007/06]

Constitution of Kosovo

Council of Europe, Fostering Rapprochement through Education for Democracy and Language Learning, <https://rm.coe.int/fostering-rapprochement-through-education-for-democracy-and-language-l/16808e8be1>

Decision of the Office of the Prime Minister No 251/2018, 16 August 2018

ECMI Report on Language Competencies of Municipal Officials, 2010

European Charter for Regional or Minority Languages

European Commission, Kosovo 2016 Progress Report

Finnish Ministry of Justice, Act on the Knowledge of Languages Required of Personnel in Public Bodies No. 424/2003

Finnish Ministry of Justice, Action Plan for the Strategy for the National Languages of Finland, 28 February 2017

Framework Convention for the Protection of National Minorities

<http://officiallanguages.nb.ca/faq>

<http://www.efnil.org/documents/conference-publications/london-2011/the-role-of-language-education-in-creating-a/15-Pirkko-Nuolijarvi.pdf>

<http://www.officiallanguages.gc.ca/en/timeline-event/bilingualism-bonus-federal-public-servants-introduced>

<https://portal.cor.europa.eu/divisionpowers/countries/membersLP/Belgium/Pages/default.aspx>

<https://www.admin.ch/opc/en/classified-compilation/20062545/20170101000/441.1.pdf>

<https://www.uottawa.ca/clmc/internationalperspective/switzerland>

<https://www.voc-up.com/>

International Covenant on Civil and Political Rights

Law on Communities

Law on Kosovo Institute for Public Administration [No. 04/L-221]

Law on the Civil Service of Kosovo [Law No.03/L – 149]



Law on the Use of Languages [No. 02/L-37]

Law on the Use of Languages [No. 02/L-37]

Office for Community Affairs/ECMI Kosovo, Policy Study I: Employment of Members of Non-Majority Communities within Kosovo Civil Service and Publicly Owned Enterprises

Office of the Language Commissioner (OLC) / Office of the Prime Minister (2015). Monitoring and Evaluating Language Rights in Kosovo. Available online at [http://www.komisioneri-ks.org/repository/docs/Anglisht\\_Finale\\_160315.pdf](http://www.komisioneri-ks.org/repository/docs/Anglisht_Finale_160315.pdf)

OSCE (2012), Multilingual Legislation in Kosovo and its Challenges, Available online at <https://www.osce.org/kosovo/87704?download=true>

OSCE (2015), Municipal Language Compliance in Kosovo, Available online at <https://www.osce.org/kosovo/120010?download=true>

OSCE Copenhagen Document

OSCE Oslo Recommendations

Plan of action for three year period 2016-2018 for Implementation of the Strategy on Training of Civil Servants 2016-2020, <https://map.rks-gov.net/getattachment/649247f0-f60a-4fd0-aae6-30ab39c933ac/.aspx>.

Regulation 07/2012 on the Office of the Language Commissioner

UN Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities





# ERAC

EQUAL RIGHTS FOR ALL COALITION



 European  
Union  
Kosovo