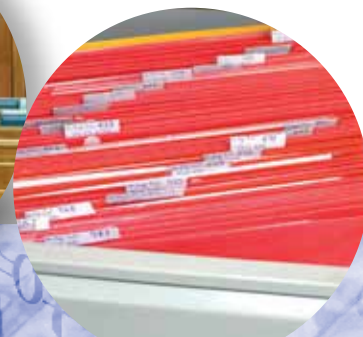




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Office of the Language Commissioner

GUIDEBOOK

ON THE IMPLEMENTATION OF THE LAW ON THE USE OF LANGUAGES



June 2014.

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ABBREVIATIONS

OPM	OFFICE OF THE PRIME MINISTER
OLC	OFFICE OF THE LANGUAGE COMMISSIONER
MPA	MINISTRY OF PUBLIC ADMINISTRATION
MLGA	MINISTRY OF LOCAL GOVERNMENT ADMINISTRATION
LO	LEGAL OFFICE
CCC	COMMUNITIES CONSULTATIVE COUNCIL
OPC	OFFICE OF PUBLIC INFORMATION
ECMI	EUROPEAN CENTRE FOR MINORITY ISSUES KOSOVO



Foreword

It is our pleasure to present the Guidebook on the Implementation of the Law on the Use of Languages, the first of its kind, which brings together the legislation, policies and the role of the institutional structures of the Republic of Kosovo in the domain of language rights in one document. This Guidebook aims to contribute to the promotion of the respect of the right to use languages, as a fundamental human right, and for it to be managed effectively, responsibly, and in a manner that is responsive to citizens' needs. This will, ultimately, contribute to an improved presentation and an overall better image of institutions, to a higher-level rule of law, and will lead to speedier integration into Euro-Atlantic structures.

In the past years, institutions have been continuously engaged in creating a sufficient legal basis on the use of language, both at the central and local levels. The Republic of Kosovo already has a modern, and sophisticated, legislation regulating the use of languages. Although the legal infrastructure on the use of languages has been completed, implementation in practice still faces difficulties and challenges.

This Guidebook does not change the legislation, but provides practical explanations and illustrations. The content is developed based on the most frequent questions we have been asked during the process of monitoring the implementation of the law, reviewing of complaints and communicating with the public.

Therefore, all citizens, representatives of institutions, policy makers, planners and practitioners are welcome to use this Guidebook, which will serve as a tool to facilitate access to information regarding institutional obligations towards citizens' rights to the use of languages in Kosovo.

Allow me to thank all those who have given their valuable contribution in drafting this Guidebook.

Slavisa Mladenovic
Language Commissioner





SUMMARY

The Guidebook on the Implementation of the Law on the Use of Languages (hereinafter, 'Guidebook') has been elaborated by the Office of the Language Commissioner (OLC), in close cooperation with the European Centre for Minority Issues Kosovo (ECMI Kosovo) and with the technical support and contribution of representatives of the Ministry of Local Government Administration (MLGA), Ministry of Public Administration (MPA), Consultative Council for Communities (CCC), the Legal Office (LO) and the Office of Public Communication (OPC) within the Office of the Prime Minister (OPM).

The purpose of this document is to help civil servants to adequately implement the Law on the Use of Languages; as well as to explain to citizens their language rights, what they can expect from implementation of the law and which procedures can be followed when their language rights are violated.

The present Guidebook summarises the most important issues falling within the mandate of the Office of the Languages Commissioner/Office of the Prime Minister, which is responsible to provide for, preserve, promote and protect the use of the official languages of the Republic of Kosovo

Accordingly, this Guidebook forms a document that will provide the citizens of the Republic of Kosovo, and relevant governmental and public institutions, with sufficient information regarding the provisions on the use of Kosovo's official languages as guaranteed by the Law on the Use of Languages. Moreover, this publication also outlines issues of communication in the official languages and relations between citizens, as well as, institutions and publicly-owned enterprises.

The content of this Guidebook is not limited to the areas outlined by the Law on the Use of Languages, but has a much wider scope. Accordingly, the team that worked on the elaboration of this tool has included practical advice and has signalled priority aspects related to the implementation of the Law on the Use of Languages, with the aim to provide an instrument to present, and structurally explain, the content of the Law on Languages, but also to guide and promote a more efficient way to implement the language rights framework of the Republic of Kosovo.



PART I

LEGAL FRAMEWORK

The Albanian and Serbian languages, and their respective alphabets, enjoy equal status as official languages of the Republic of Kosovo. In line with this, citizens of the Republic of Kosovo have equal rights to use of both official languages. This principle derives from the rights enshrined in Article 5 of the Constitution of the Republic of Kosovo (hereinafter, the Constitution), the Republic of Kosovo Law No. 02/L-37 on the Use of Languages (hereinafter, the Law on Languages), the Law No. 03/L-47 on the Protection and Promotion of the Rights and Interests of Communities and their Members in Kosovo (Article 4.1), the Law No. 03/L-215 on Access to Public Documents (Article 18), and the Regulation No. 07/2012 on the Office of the Language Commissioner (hereinafter, the Regulation).

Furthermore, the Constitution sets out the direct implementation of the fundamental rights and freedoms established by the relevant international human rights agreements and instruments listed in Article 22, the content of which enjoys precedence over the provisions, laws and other acts issued by public institutions.

In this context, the content of the Law on Languages is based on the principles provided by, and internationally recognised within, the International Covenant on Civil and Political Rights (ICCPR), the

European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols, the Framework Convention for the Protection of National Minorities (FCPNM), and the European Charter for Regional or Minority Languages. Additionally, the Law on Languages takes into account the Hague Recommendations regarding education rights of national minorities and the Oslo Recommendations regarding the linguistic rights of national minorities.

ON THE LAW ON THE USE OF LANGUAGES

The Law No. 02/L-37 on the Use of Languages entered into force in 2007, with the aim of ensuring and protecting the implementation of language rights in the Republic of Kosovo, and to promote the creation of an adequate environment where all communities of the Republic of Kosovo could express and preserve their linguistic identity.

Articles 1-3

These articles provide for the protection of the language rights of all communities living in the Republic of Kosovo, the equal status among the official languages of the Republic of Kosovo, and the right of all communities in the Republic of Kosovo to preserve, maintain and promote their linguistic identity. Moreover, they establish the different linguistic categories at the central and local level, differentiating between official languages and languages in official use, as well as clarifying the percentage of speakers needed for a language be recognised as an official language at the local level.



■ *The Use of Languages in Central-Level Institutions*

Articles 4-6

These articles outline the use of languages in the work of the Kosovo central institutions. In line with this, official languages of the Republic of Kosovo are to be used on an equal basis in communications, meetings conducted by the concerned institutions, public meetings organised by the concerned institutions, official documents issued by the concerned institutions, as well as in the display of the official names of the concerned institutions. Furthermore, these articles establish the equality of the official languages of the Republic of Kosovo in the work of the Assembly, its various committees, and in the process of adoption of laws and normative acts; and the right of its members, whose mother tongue is not an official language, to use their mother tongue, and to have access to interpretation and translation services, when requested.

■ *The Use of Languages in Municipal Institutions*

Articles 7-10

These articles define the use of languages at the local level. According to these articles, the official languages of the Republic of Kosovo, as well as the official languages of the respective municipality, should be equally used in the work of the municipal institutions; including in meetings, and the issuing and publication of official documents. Official languages enjoy equal treatment, and translation and interpretation from one language to another should be provided upon request.



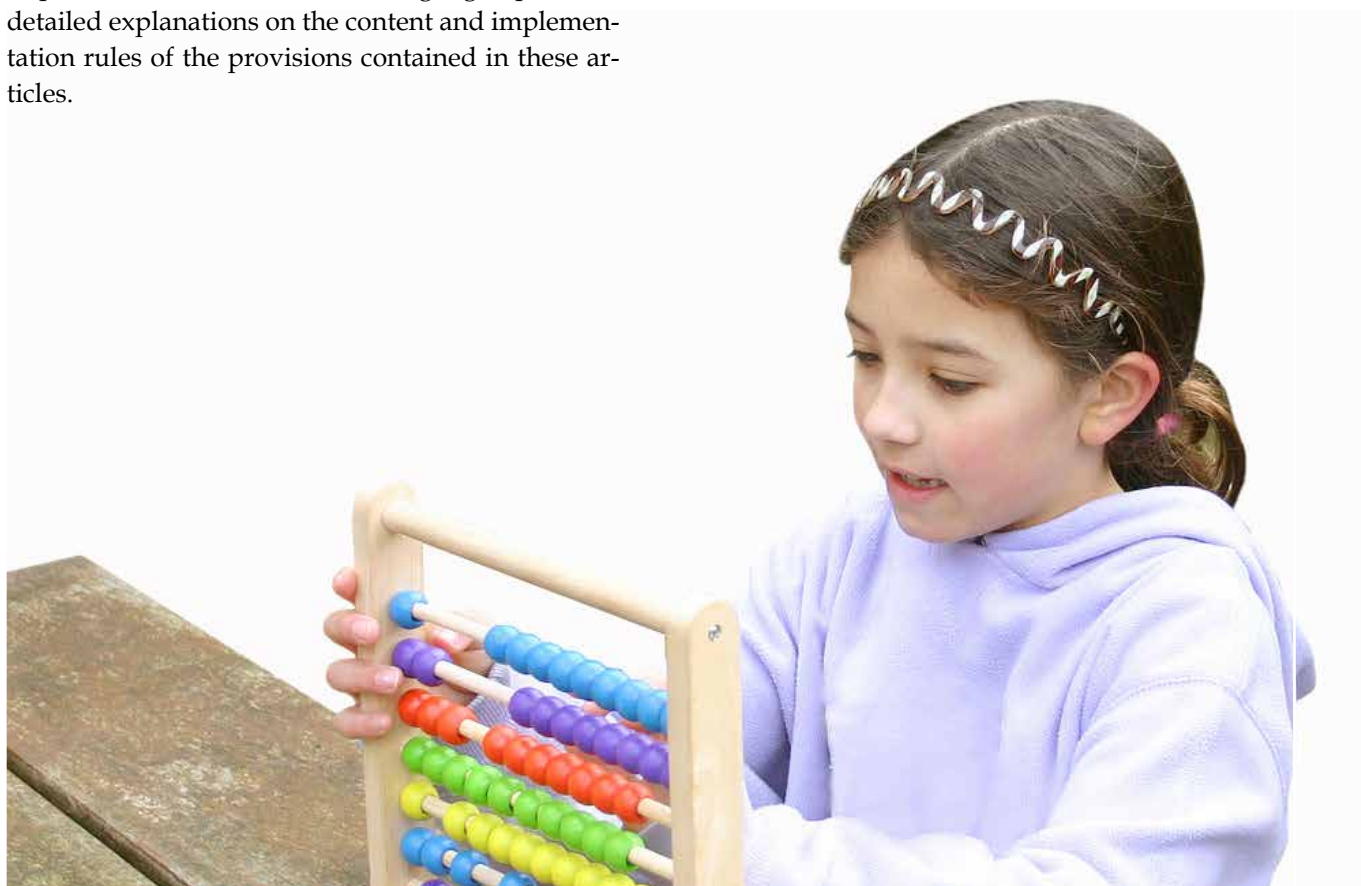
Articles 7-10 also describe the right to use the languages in the official use of the municipality and the rights of citizens to request services in such languages. Moreover, guidance on how to display the official names of the municipal institutions and organs, and the official signs indicating names of municipalities, neighbourhoods, villages, roads, streets and the public spaces, is provided.

Additionally, the MLGA Administrative Instruction No. 2011/02 Setting out the Procedures for Implementation of the Law on Languages, provides detailed explanations on the content and implementation rules of the provisions contained in these articles.

■ *The Use of Languages in Public-Owned Enterprises*

Article 11

This article discusses the obligations of all enterprises, both public and socially owned ones, to apply the principles of linguistic equality established by this Law. Hence, every person should enjoy the right to be informed by, and to communicate with, any of the official languages of the Republic of Kosovo.





■ *The Use of Languages in Judicial Proceedings*

Articles 12-18

Articles 12-18 establish the equal status of the official languages of the Republic of Kosovo in all judicial proceedings, highlighting that it is the right of every person involved in such proceedings to use the language of their choice. In this context, all proceedings, documents, and reports produced by courts, prosecution bodies, as well as any other authorities involved in a criminal procedure, should be issued in the official languages of the Republic of Kosovo.

Furthermore, any person participating in criminal, or any other judicial proceeding, whose mother tongue is not an official language or a language in official use, has the right to communicate and to be promptly informed in their mother tongue. Finally, according to these articles, courts, prosecution bodies, as well as any other authorities involved in a criminal procedure, are obliged to provide translation and interpretation support when requested.

■ *The Use of Languages in Education*

Articles 19-24

These articles clarify that the languages of instruction in public education must be in accordance with the provisions of the Constitution and laws in the area of education. Every person has the right to be educated in his/her mother tongue. Educational institutions are obliged to conduct all the procedures in accordance with the Law on Languages and other relevant laws. In such context, the official languages of the Republic of Kosovo are the primary languages of instruction in public universities.

■ *The Use of Languages in the Media*

Articles 25-26

They provide for the right for every person to establish media in the language of their choice, in accordance with the law. Finally, these articles underline that the use of languages by public broadcasters should be in line with the time principles established by the different instruments that compose the media legal framework of the Republic of Kosovo.





■ *Personal Names*

Article 27

This article provides the right of every person to be registered, and to have their name and surname entered into public registers, personal identification and other official documents, in the written system of the official languages chosen by the person. Moreover, a person belonging to a community whose mother tongue is not one of the official languages of the Republic of Kosovo, should be able to register their name and surname in its original form, based on their own language and tradition. The same rules apply when such names are used by public officials.

■ *Linguistic Freedom and the Use of Languages in the Private Sphere*

Articles 28-30

These articles provide for the right of all persons to establish and manage judicial subjects, such as cultural associations and businesses enterprises, in their own language, including the display of their names, communication, and provision services in the language of their choice.

In this line, when the activities of such entities are provided in a language which is not one of the official languages of the Republic of Kosovo, and this is considered to be detrimental to public order, safety, health or the protection of the rights of other persons, the Kosovo institutions can demand an additional use of the official languages.

When enterprises perform public services, the principle of the equality of the official languages also applies.

■ *Implementation*

Article 31

Article 31 requires the Kosovo Government and Kosovo institutions to adopt measures for the promotion, use, and equal status of official languages, as well as to ensure the protection, preservation and promotion of languages of communities whose mother tongue is not an official language.

■ *Language Commission*

Article 32

This article defines the role and mandate of the Office of the Language Commissioner (OLC).

A special decision of the Prime Minister requested the reform of the Language Commission. Therefore, upon the adoption of the Regulation No. 07/2012, this Commission was succeeded by the Office of the Language Commissioner.



RIGHTS AND THE FREEDOM TO USE OFFICIAL LANGUAGES

- Every citizen of the Republic of Kosovo has the right to preserve and develop their language as an essential element of their identity, and has the right to use their language and alphabet in the private and public sphere of their lives (Constitution, Articles 59.1 and 59.5; Law on Languages, Articles 4.2 and 4.3).
- The freedom of expression, including the right of each citizen to receive, request and provide information and ideas in the language of their choice, is guaranteed. Any linguistic discrimination is prohibited (Law on Languages, Articles 3.1 and 3.2).
- The Language Commissioner of the Republic of Kosovo is engaged with and focuses his/her work on the freedom and the right of all citizens to use their mother tongue, regardless of which community they belong to. The Language Commissioner is also involved in ensuring equal treatment of official languages, as stipulated by the Law on Languages.
- If a citizen considers that, under any circumstances or situation, they are deprived of their right to use their own language, or that they face linguistic barriers or inequality, they should inform the OLC about their situation and receive further advice.
- Citizens should contact the Office of the Language Commissioner in cases where a public institution that is under the jurisdiction of the OLC has failed to fulfil its language obligations set out by the Law on Languages.

■ The Linguistic Scheme in the Republic of Kosovo

■ *Official Languages at the Central Level*

The official languages of the Republic of Kosovo are Albanian and Serbian (hereinafter, official languages)

■ *Official Languages at the Local Level*

Turkish and Bosnian are official languages at the local level. The former constitutes an official language in the municipalities of Prizren/Prizren and Mamuşa/Mamushë/Mamuşa, and the latter in the municipalities of Dragash/Dragaš, Pejë/Peć and Prizren/Prizren.

If a language of a community, who constitutes more than 5% of the population of a municipality, is not already labelled an official language at the central level, it is defined as an official language at the municipal level and holds an equal status to other official languages. One exception of this rule is the Turkish language, which is traditionally spoken in the municipality of Prizren/Prizren, and has the status of an official language at the municipal level (Law on Languages, Article 2.3).



■ *Languages in Official Use in Municipalities*

When members of communities whose language is not an official language make up more than 3% of the population of a municipality, their language is granted the status of language in official use at the municipal level (Law on Languages, Article 2.4).

Turkish is considered a language in official use in the municipalities of Gjilan/Gnjilane, Mitrovicë/Mitrovica, Prishtinë/Priština and Vushtrri/Vučitrn, while Bosnian is in the municipality of Istog/Istok.

Municipalities where Bosnian is an official language:

Dragash/Dragaš, Pejë/Peč, Prizren/Prizren

Municipalities where Turkish is an official language:

Prizren/Prizren, Mamuşa/Mamushë/Mamuša

Municipalities where Bosnian is a language in official use:

Istog/Istok

Municipalities where Turkish is a language in official use:

Gjilan/Gnjilane, Mitrovicë/Mitrovica, Prishtinë/Priština, Vushtrri/Vučitrn



Representatives of a community who consider that their language meets the criteria to be an official language or a language in official use, based either on percentage or traditional use, may submit a petition to the Municipal Assembly of the respective Municipality for review (AI No. 2011-02 Setting out the Procedures for Implementation of the Law on the Use of Languages).

If a community fulfils all the criteria and conditions for its language to become an official language at the local level, or a language in official use, is the municipality obliged to issue a decision on the matter?

In the case that a certain community fulfills all the criteria and conditions for its language to receive the status of an official language at the local level, or as a language in official use, is the municipality obliged to issue a decision on the matter?

If the Municipal Assembly of the respective municipality finds that the language of a community meets the criteria, the language in question becomes recognised as an official language or a language in official use.



PART II

HOW TO ACHIEVE EQUAL STATUS OF OFFICIAL LANGUAGES

■ *In Central Institutions*

The equal status of the official languages is achieved when central institutions provide citizens with communications in both official languages, and the distribution of public documents in these languages. This includes the establishment of a well structured and functioning translation service, and the provision of interpretation services in the meetings of the central institutions, and in the public meetings organised by these institutions, the display of official signs and inscriptions in both languages, and the knowledge promotion an equal use of the official languages by public employees.

■ *In Local Institutions*

The equal status of the use of official languages at the local level is achieved when local institutions ensure that communication with citizens is carried out in all official languages of the respective municipality.

Upon request by constituents whose mother tongue is a language in official use in the respective municipality, local institutions must facilitate communication and publish official documents in the requested language.

INSTITUTIONS AND ORGANISATIONS UNDER OLC'S JURISDICTION

The jurisdiction of the OLC of the Republic of Kosovo encompasses the use of languages in the work of institutions, organisations and enterprises of the Republic of Kosovo that perform public functions and services in the territory of the Republic of Kosovo (Law on Regulation):



- Central institutions
- Local institutions
- Educational institutions
- Healthcare institutions
- Public universities
- Agencies
- Publicly-owned enterprises
- Companies dealing with public services

■ Obligations of Institutions to Implement the Law on the Use of Languages

Institutions should:

- ✓ Take the necessary measures to fully implement the Law on Languages in order to achieve the linguistic equality provided for under this law.
- ✓ Provide public documents, and information, in official languages and official languages at the municipal level.
- ✓ Respect linguistic equality in all public documents issued by institutions.
- ✓ Ensure that accompanying materials used in inter-institutional communication should be in all the official languages.



- ✓ Use topographic signs properly in all languages, respecting linguistic equality.
- ✓ Harmonise the official websites according to official languages in all institutions under OLC's jurisdiction.
- ✓ Conduct distribution of information simultaneously in the official languages.

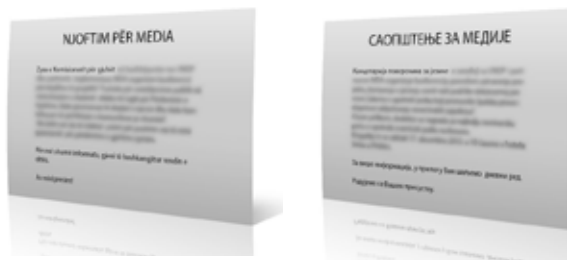
The OLC intervened in a case where it received a notification and a form from an institution to be filled in by civil servants, but they were provided only in one official language. Appropriate measures have been undertaken and this issue has been addressed.

■ IMPLEMENTATION OF THE LAW ON THE USE OF LANGUAGES

■ *Communication with Citizens*

Communication with the public by institutions is conducted in various ways. Some examples include press releases, press conferences, social media, phone, envelopes, memos and letters, registered mail and email.

Information materials, leaflets, brochures, manuals, flyers, invitations for proposals, job vacancy announcements, and websites should be written and published in the official languages. Public institutions are under the obligation to ensure that all information provided to the public is offered in all official languages.



■ *Inter-institutional Communication*

Inter-institutional communication should be conducted in the official languages. All letters, requests or complaints supporting inter-institutional communication should be in official languages. Institutions must respond in the language in which the relevant letter, requests or complaint has been received.

When do the members of a community have the right to ask for their language to obtain the status of an official language at the local level, or a language in official use?

Job vacancy announcements, other announcements, and invitations for proposals, must be published in the official languages at both central and local levels. This means that all explanatory information should be provided and published in the official languages.

Websites of the institutions should be in official languages. Their content and updating should be based on equal treatment.

From May to June 2013 the OLC, on its own initiative, conducted research in websites of central institutions of the Republic of Kosovo to establish the level of use of official languages. The OLC provided the report with recommendations to all institutions whose websites were not in compliance with the Law on Languages.



One agency developed an application and form only in one official language. The OLC has received complaints on the lack of information in one of the official languages. The issue has been addressed through mediation by the OLC.

Compliance with the Law on Languages

All normative acts adopted by Kosovo institutions must comply with the Law on Languages. The OLC recommends adoption of legislation that may be necessary to enhance the implementation of the Law on Languages.

The Office has received a considerable number of complaints from citizens about cases where specific laws have not been in compliance with the Law on Languages. One such example is the case of “the Law No. 04/L-246 on Amending and Supplementing the Law No. 04/L-033 on the Special Chamber of the Supreme Court of Kosovo on Privatization Agency of Kosovo Related Issues” which was not adopted in accordance with the Law on Languages. The OLC managed to remove the provision that was not in compliance with the Law on Languages.

Publications and Letters

In order to enhance communication with the public, institutions of the Republic of Kosovo, at both the central and local levels, are obliged to publish information, publications, and documents considered important to the public, in all official languages. Depending on the municipality, institutions are also obliged to publish information in the official languages at the municipal level and languages in official use. Public enterprises that provide various services to citizens are also compelled to fulfil this requirement.

Another process that should be in compliance with the Law on Languages is the regulation of software used to prepare various documents.





Annual Reports

Central institutions are obliged to prepare and publish annual reports in the official languages.

Local institutions are obliged to prepare and publish their annual reports in the official languages of the respective municipality (Article 7.6 of the Law on Languages).



In all of these documents the equality of languages needs to be respected (both languages need to be written in their respective linguistic norms, have equal treatment, and be published at the same time).

Strategy and Work Plan

The official documents listed below must be issued by all institutions, both at the central and local level, in the official languages.

This category of documents includes:

- Regulations
- Decisions
- Audit reports
- Guiding memos
- Information bulletins and other documents

Local institutions are obliged to publish all the normative acts, such as:

- Municipal Statutes
- Strategies
- Municipal regulations
- Work plans
- Reports (audit reports, annual reports and financial reports)
- Municipal budgets
- Information bulletins and other documents

Municipal institutions are obliged to publish and translate documents in languages that are in official use in the respective municipality, upon request.

Publicly owned enterprises providing services of interest to citizens are also obliged to apply linguistic equality with regard to the following documents:

- Enterprise Statutes
- Regulations
- Plans
- Reports

- Service application forms
- Customer requirements
- Customer supply contracts
- Complaint forms

■ *Emblems and Identification Signs*

All institutions, depending on the level they belong to, are obliged to respect official languages with regard to their emblems and identification signs (Law No. 03/L-038 on the Use of Kosovo State Symbols).

■ *Stamps*

All institutions are required to respect linguistic equality while engraving their stamps. The text of the official stamp of the respective institution must be written in capital print letters, in the same size and shape in all the official languages of Kosovo (Law No. 03/L-054 on Stamps in Institutions of the Republic of Kosovo).

The text of stamps of municipal institutions should be written in capital print letters of the same size and form in all official languages of municipalities (Article 6.3 of the same law).

■ *Signs/Inscriptions*

Each institution or public body is obliged to ensure that signs/inscriptions are written in the official languages, depending on the circumstances and the place of their location (Articles 4.6, 9.1, 9.2 of the Law on Languages), with letters of the same font, colour and order.

Central institutions are obliged to implement the Law on Inscriptions of Institutions (Law No. 03/2008 on Inscriptions on Premises of Central Institutions of the Republic of Kosovo).

In accordance with the Law on Languages, each central institution is obliged to present official names of institutions in official languages, and the official languages of the respective municipality (Article 4.6 of the Law on Languages; AI MPA 03/2008 on Inscriptions on Premises of Central-Level Institutions of the Republic of Kosovo, Article 8.3).



Each local institution is obliged to ensure that topographic signs, noting or including names of municipalities, villages, roads, streets, and locations and other public areas, are in the official languages and in the languages of communities whose lan-



guage has the status of official language in the respective municipality (Article 9 of the Law on Languages; Law No. 03/L-041 on Municipal Boundaries; Law No. 2008/03 L-040 on Local Self-government, etc.).

The names of cities, and other locations, must be written in the official languages. Names are not translated, they are written in their original version (Law No. 2003/11 on Roads, and Law No. 03/L-120 on Amending and Supplementing the Law on Roads Nr. 2003/11).

■ *Addresses of Residence*

The institution in charge is obliged to compile the Address System in the official languages. The Address System should be applied using the official languages of the Republic of Kosovo (Article 1 of the Law on Languages).

Letters in the inscription tables should be in accordance with relevant legislation on the use of languages (Article 21, in accordance with the Law No. 04/L-071 on the Address System).

Several elements of addresses:

1. Name of the municipality;
2. Name of the village;
3. Name of public circulation area.

Names of municipalities should be written clearly in the official languages; letters should have the same font and colour and should be placed in the same position, in accordance with the Law on Languages and AI No. 2011-02.

What is the correct form of writing, and what is the situation in the field?





■ Invoices

Enterprises under public and social ownership are required to practice linguistic equality. These enterprises are obliged to prepare invoices in the official languages (Article 11 of the Law on Languages).

Each enterprise is obliged to ensure that every person can receive services and documents in any official language.



■ Labels

Goods sellers should ensure that the goods being sold are equipped with the label containing information about the producer and its address, name of the good, its quantity, composition, quality, manufacturing date, expiration date and the method of use and maintenance, as well as of its potential hazards, if applicable.

Labels should be clearly written, visible and easily readable in the official languages (Law No. 04/1-121 Consumer Protection, Article 13).

Translation of data into the official languages should be identical to the original.

Languages should be respected in all other manufacturing products (Article 34.1, Law No. 04-181 on Construction Products).



The Law does not require that institutions draft documents, names, addresses, etc., in English, except if otherwise regulated by a separate regulation of the institution responsible.



■ *Instructions on the Use of Medical Products*

Institutions and companies responsible for medicines are obliged to publish instructions on the use of the medicine in the official languages of the Republic of Kosovo.

Instruction sheets of packages should be in the official languages (Administrative Instruction No. 17/2013 on Authorization of Marketing of Medical Products for Placement in the Republic of Kosovo, Article 13).

Instruction sheets of packages should be in the official languages of the Republic of Kosovo and should be written in a form that is clear, readable and understandable for patients (Article 15 of the same AI).

■ *The Use of Languages in Judicial Proceedings*

Anyone who is deprived of liberty must be informed promptly on the reasons for such a deprivation, in the language s/he understands (according to Article 29.2 of the Constitution).

According to the legislation in force, in all judicial proceedings, the institution responsible must respect the right of each person for the use of the language of their choice in the proceedings. Citizens have the right to communicate and request services in their mother tongue.

All proceedings, documents, notifications, and letters, should be provided in the official languages for each person whose language is not an official language or a language in official use.

Judicial institutions, courts, prisons, etc., are obliged to provide all such people assistance in translation/interpretation and communication (Law on Languages, and Criminal Procedure Code No. 04/L-123).



PART III

THE ROLE OF THE OFFICE OF THE LANGUAGE COMMISSIONER

The Office monitors the implementation of the Law on Languages by all institutions that fall within the OLC's mandate. In order to do this, the OLC takes appropriate action to ensure compliance with the law, issues recommendations on the consistency of all administrative acts, and offers legal advice to citizens on their language rights. The OLC also offers advice to institutions on fulfilling their legal obligations in relation to the Law on Languages, and works on promoting the community languages which are not in official use.

It also creates and implements a communication plan. The OLC is fully mandated and authorised to conduct investigations within the institutions of the Republic of Kosovo and publicly owned organisations and/or agencies, based on its own initiative, in order to assess whether these institutions are in compliance with the law.

Investigation

Investigation is an administrative process performed by the OLC, on a formal legal basis, in accordance with the Law and the Regulation.

The OLC has the authority and powers to conduct inv

- on the basis of complaints, or
- on its own initiative, ex officio.

The OLC investigates each complaint for any failure by an institution, submitted by any physical or legal person, under its jurisdiction to implement the Law on Languages.





This is done in cases when:

- through action, or negligence, of the administration of any institution, organisation or enterprise that performs public services, the equal status of official languages has not been, or is not, recognised;
- any provision of any law, or regulation, regarding the use of official languages has not been, or is not, complied with;
- any provision of any law, or any regulation on the use of languages of communities whose mother tongue is not an official language, has not been, or is not, complied with.

Citizens of the Republic of Kosovo, regardless of their background, are guaranteed the right to appeal to the OLC, and all services are provided free of charge. Complaints can be submitted in any language that is used in Kosovo, or in English.

In order to ensure that institutions under the jurisdiction of the OLC comply with the Law on Languages, the Language Commissioner may decide to initiate an ex officio investigation.

This is conducted on the basis of:

- findings, testimony and evidence presented
- in any way when there are grounds to conclude that institutions have violated linguistic rights recognised and protected by law

The Commissioner issues a written decision to conduct ex officio investigation.

The OLC undertakes the following actions upon receipt of a complaint:

- The OLC, under the conditions of admissibility, verifies whether the complaint is under its jurisdiction, and proceeds to carry out the procedure for addressing it.
- The complainant receives a confirmation that the appeal is accepted, and is informed by the official who will handle the review of the complaint.
- If the complaint is not under the jurisdiction of the OLC, the complainant will be informed in a timely manner.
- The complainant will be informed during all stages of the review on the steps being undertaken by the OLC.
- The OLC examines the case, including by reviewing the legislation, regulations, administrative instructions and all facts and evidence collected that are relevant for legal analysis.

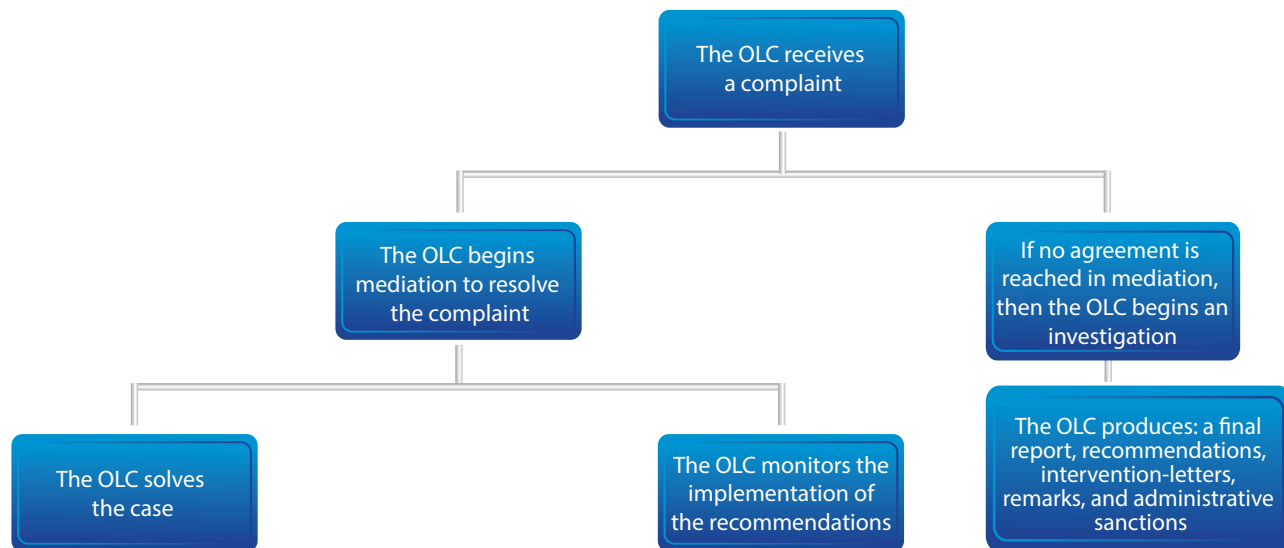
At each stage of reviewing complaints, the OLC provides its fiduciary, mediation or conciliation services.

- The Language Commissioner shall advise the parties involved, and provide recommendations to resolve the issue that the complaint addresses. This shall be done through mediation, and it will be ensured that the Commissioner or representatives of the OLC are prepared to coordinate the process.
- If an amicable agreement between the parties is reached, the OLC shall terminate the review and, if it is satisfied with the fulfilment of the obligation of the agreement reached, it brings the procedure to a conclusion.

Investigation Procedure following Commissioner's Decision to Conduct a Full Investigation

During the investigation stage, the OLC interviews witnesses or other persons, and requests the institutions under its jurisdiction to allow it access to important information, files, and documents (except classified documents), which contribute to the resolution of the case.

In cases of failure to fulfil the recommendations and refusal of any institution to review complaints from any institution, and failure to take into account the advice and claims incurred regarding the respect for language rights, the OLC may initiate disciplinary measures, issue an objection for failure to fulfil the recommendations, and issue a penalty decision (AI No. 2007/01 MAP).



How to complain to the Office of the Language Commissioner?

- **Personally**
- **By telephone:**
038 200 14 448; 038 200 14 902
- **By e-mail:**
info-zkgj-kpj@rks-gov.net
- **By Registered Mail:**
**Zyrën e Komisionerit për Gjuhët,
Ndërtesa e Qeverisë, kati VI, Zyra nr. 605
10000 Prishtinë / Канцеларија повереника
за језике, зграда владе, 6. спрат,
канцеларија бр. 605А, 10000 Приштина.**

OLC's complaint forms are available in Albanian, Serbian, Turkish and Bosnian and can be filed in any language in use in Kosovo, or in English.

OLC's complaint forms are available on the official websites of the OLC:

www.komisioneri-ks.org;
www.poverenik-ks.org;
www.commissioner-ks.org

In case you need help, OLC staff are available to assist in filling out the forms.

Republika e Kosovës
Republika Kosovo-Republic of Kosovo
Qeveria – Vlada – Government
Zyra e Kryeministrit / Kancelarija Premijera / Office of The Prime Minister
Zyra e Komisionerit për Gjuhët / Канцеларија повереника за језике / Office of the Language Commissioner

ANKESË

Ankesa
Informatat personale

Emri: _____

Mbiemri: _____

Adresa: _____

Kodi postar, vendi dhe komuna: _____

Nr. Tel.: _____

E-mail: _____

A dëshironi që të dhënat tuaja personale të mbeten konfidenciale gjatë shqyrtimit të ankesës?
Po / ☐ Jo / ☐

Ndaj cilës institucioni ankesoni?
Ky formular mund të shkruhet në adresën: www.komisioneri-ks.org
Adresa: Zyra e Komisionerit për Gjuhët, Ndërtesa e Qeverisë | Kat V Lartësia | Sheshi Nënë Tereza p.a.
10 000 Prishtinë Kosovë
E-mail: info-zkgj-kpj@rks-gov.net | Tel: 038 200 14 448

Ora! formulari më mirë në adresë: www.komisioneri-ks.org
Adresa: Kanclarija qeveritare za језике, зграда Владе | VI sprat, br. 605A | Trg Maje Tereze b.b
10 000 Priština Kosovo
E-mail: info-zkgj-kpj@rks-gov.net | Tel: 038 200 14 448

Republika e Kosovës
Република Косово-Republic of Kosovo
Qeveria – Vlada – Government
Zyra e Kryeministrit / Канцеларија премијера / Office of The Prime Minister
Zyra e Komisionerit për Gjuhët / Канцеларија повереника за језике / Office of the Language Commissioner

ЖАЛБА

Подносилац жалбе
Лични подаци

Име: _____

Презиме: _____

Адреса: _____

Поштански број, место и општина: _____

Бр. Тел: _____

Електронска адреса: _____

Да ли желите да Ваши лични подаци остану поверљиви током жалбеног поступка?
Да ☐ Не ☐

На коју институцију се жалите?

Ovaj formular možete napisati na adresu: www.poverenik-ks.org
Adresa: Kanclarija повереника за језике, зграда Владе | VI sprat, br. 605A | Trg Maje Tereze b.b
10 000 Priština Kosovo
E-mail: info-zkgj-kpj@rks-gov.net | Tel: 038 200 14 448



BACKGROUND AND MANDATE OF THE OFFICE OF THE LANGUAGE COMMISSIONER

The Office of the Language Commissioner was established under Article 32 of Law No. 02/L-37 on the Use of Languages, and Regulation No. 07/2012 on the Office of the Language Commissioner, adopted pursuant to Article 93 (4) of the Constitution of the Republic of Kosovo, and in accordance with Article 32 of the Law No. 02/L-37 (Official Gazette No. 10 / 1 March 2007), Article 35 (5) of the Law No. 03/L-189 on the State Administration of Kosovo (Official Gazette No. 82 / 21 October 2010) and Article 19 (6.2) of the Rules of Procedure of the Government No. 09/2011 (Official Gazette No. 15 / 12.09.2011).

The OLC was established within the Office of the Prime Minister, and acts under the leadership of the Language Commissioner, who is responsible for management of the OLC and execution of its powers.

■ *Mandate*

The OLC monitors compliance with the Law on Languages by any institution under its jurisdiction. It reviews, and issues recommendations, regarding regulations or administrative instructions foreseen by the Law on Languages in order to guarantee the compatibility and consistency of legal acts.

Through its capacity development component, the OLC examines, evaluates, and provides recommendations concerning, the budget and human resources allocated for the implementation of the Law on Languages.

It performs investigations, either on its own initiative, or based on complaints submitted by a physical, or legal, person.

It provides, where appropriate, advice and assistance to the public with regard to their rights under the Law on the Use of Languages, and assistance to institutions under its jurisdiction with regard to their obligations under the same law.

It assists the Government in the development of public awareness programmes, or conducts such activities itself. The OLC also conducts regular public outreach to inform people about their obligations and rights under the Law on Languages.

■ *The OLC's Supporting Mechanisms*

Language Policy Board – composed of twenty (20) members, who represent institutions that provide services, as well as by representatives of linguistic communities.

Languages Policy Network – consists of contact persons dealing with the use of languages from all institutions under OLC's jurisdiction.





**The Guidebook was drafted by the Office of the Language Commissioner,
in cooperation with ECMI Kosovo.**

Some of the notions and language forms used in this Guidebook are not in line with standard norms of the Albanian language. These professional notions are used in order to maintain the legal meaning of legal acts.

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