

***Monitoring and Evaluation of Language Rights:
Piloting the Use of Indicators in the Work of the
Assembly of Kosovo***

Final Report

January 2014

Supported by



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

Federal Department of Foreign Affairs FDFA

In co-operation with



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

ECMI Kosovo would like to thank the Swiss Federal Department of Foreign Affairs (FDFA) for its financial support for the development of this publication, in the framework of the project ‘Supporting Effective Governance for Minority Communities in Kosovo.’

ECMI Kosovo 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.

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LIST OF ACRONYMS AND ABBREVIATIONS

ACDEI	Agency for Co-ordination of Development and European Integration
CAT tools	computer-assisted translation tools
CCC	Consultative Council for Communities
CoE	Council of Europe
CRICR	Committee on the Rights and Interests of Communities and Returns
EC	European Commission
ECHR	European Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights)
ECMI Kosovo	European Centre for Minority Issues Kosovo
ECRML	European Charter for Regional or Minority Languages
EU	European Union
FCNM	Framework Convention for the Protection of National Minorities
FDFA	Federal Department of Foreign Affairs (of Switzerland)
FIA	Financial Impact Assessment
ICCPR	International Covenant on Civil and Political Rights
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
IGO	Intergovernmental organisation
M&E	Monitoring and Evaluation
MEF	Ministry of Economy and Finances
MEST	Ministry of Education, Sciences and Technology
MLSW	Ministry of Labour and Social Welfare
MP	Member of Parliament
MTI	Ministry of Trade and Industry
MWG	Ministerial Working Group
OCA	Office for Community Affairs
OHCHR	Office of the High Commissioner for Human Rights
OLC	Office of the Language Commissioner
OLSS	Office for Legal Support Services
OP	Office of the President
OPM	Office of the Prime Minister
OSCE	Organization for Security and Co-operation in Europe
RIA	Regulatory Impact Assessment
RTK	Radio Television of Kosovo
UDHR	Universal Declaration of Human Rights
UN	United Nations

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EXECUTIVE SUMMARY

This final report presents the key findings of a pilot phase implemented by the European Centre for Minority Issues Kosovo (ECMI Kosovo) and the Office of the Language Commissioner (OLC) on monitoring and evaluating the implementation of the *Law on the Use of Languages* through the use of indicators, which focused on the work of the Assembly (Article 5). It seeks to provide an overview of the situation in this area, identify challenges and potential recommendations to address them, so as to contribute to improving compliance with the Law within the work of the Assembly of Kosovo and ensuring the adequate use of official languages and other community languages in Kosovo. One of the focus areas has been the process and quality of translation of laws in the official languages.

Some of the key issues identified are the limited human, financial and technical resources of the in-house language services at the Assembly of Kosovo; the absence of Serbian native speakers within the Translation Unit; tight timeframes for translation, proofreading and standardisation of laws and draft laws; difficulties in recruiting qualified language professionals; and inadequate mechanisms for language quality assurance prior to the promulgation of laws. Around half of the professionals working for the Translation Unit have a university degree in languages (Albanian only), and only one has a legal background; however, most professionals have extensive working experience and a series of trainings have been provided in 2013. Along with the lacking opportunities for academic training in translation and interpretation in both official languages, all these factors seem to have a tangible impact on the quality of the translation of laws into Serbian. As demonstrated by an assessment of the quality of five 2013 laws and draft laws, the Serbian translations were consistently rated lower than the Albanian original documents, due to grammar mistakes and inadequate use of terminology.

In light of the above, the following recommendations are made to address the identified challenges:

- Carefully assess the need to increase the number of professionals providing language services to the Kosovo Assembly; and establish adequate timeframes for the delivery of work.
- Create incentives to facilitate the recruitment of highly qualified language professionals, including adequate compensation, and ensure that Serbian native speakers are recruited.
- Increase the budget allocated to the provision of language services within the Assembly of Kosovo, and assess the cost-efficiency of outsourcing language services.
- Establish a unit or mechanism for final language quality assurance of laws before promulgation.
- Ensure to the extent possible that translation and interpretation are divided and streamlined, and that translators work primarily into their mother tongue.
- Offer tailor-made capacity-building for language professionals in relevant areas, including legal issues and legal translation, and supply adequate and specialised tools (e.g. electronic glossaries);
- Work towards establishing a system for the certification of translators and interpreters; support the establishment of a Translation and Interpretation Department within the University of Prishtina covering both official languages, as well as a Slavistics Department.
- Continue collecting data disaggregated by languages and other relevant criteria, including requests for interpretation and translation of documents.
- Consider systematically and comprehensively using indicators as a tool for monitoring and evaluation (M&E) of the implementation of language and other community rights by the Assembly of Kosovo and other institutions, drawing on the findings and lessons learned through this pilot phase.

1. INTRODUCTION

There is broad consensus that monitoring and evaluation (M&E) constitutes one of the key challenges in ensuring the effective implementation of Kosovo's extensive legislative and policy framework for the protection and promotion of community rights. In order to address this situation, ECMI Kosovo put forward a proposal for developing, testing and introducing a community rights M&E system based on indicators.¹ As a result of consultations, ECMI Kosovo and the Office of the Language Commissioner (OLC) agreed to implement a pilot phase focused on language rights to test the feasibility, value and relevance of such a system.

This report presents the key findings of this pilot phase of monitoring the *Law on the Use of Languages* through the use of indicators, which focused on the work of the Assembly (Article 5). It seeks to provide a comprehensive overview of the situation in this area and to identify challenges and potential recommendations to address them, in order to contribute to improving compliance with the Law within the work of the Assembly of Kosovo and ensuring the adequate use of official languages and other community languages in Kosovo.

The report is divided into four chapters:

- Chapter 1 provides background information on this pilot phase of monitoring language rights through indicators, and outlines the key steps taken and methodology applied throughout this process.
- Chapter 2 summarises the international, regional and domestic standards for the protection and promotion of language rights, the subject area of this report.
- Chapter 3 presents the key findings of this pilot phase, structured by the six thematic areas of indicators developed,² covering, *inter alia*, the human, technical and financial resources of in-house language services at the Assembly of Kosovo, as well as the language quality of laws and draft laws in both official languages, Albanian and Serbian.
- Chapters 4 and 5 present the preliminary conclusions of this exercise and concrete policy recommendations to address the challenges identified in relation to the use of languages within the Kosovo Assembly, as well as on the use of indicators for M&E of language and community rights in the Kosovo context.

1.1 Background

In recent years, the importance of monitoring and evaluation (M&E) for the implementation of human and minority rights has become increasingly clear at the international level, with many national and international human rights monitoring mechanisms, as well as civil society organisations and states, using indicators to monitor the implementation of human rights³. An indicator is a 'piece of

¹ For more information on this proposal, see: ECMI Kosovo, 'Community Rights Monitoring & Evaluation for the Kosovo Context' May 2013, available at: <http://www.ecmikosovo.org/?p=3322> (consulted on 15 December 2013).

² See Annex 1: Indicators Matrix.

³ Report of the United Nations High Commissioner for Human Rights to ECOSOC. Geneva, 4–29 July 2011, available at: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G11/427/16/PDF/G1142716.pdf?OpenElement> (consulted on 15 December 2013).

information used in measuring the extent to which a legal right is being fulfilled or enjoyed in a given situation'⁴.

In Kosovo, M&E is broadly considered to be one of the key challenges in ensuring the full and effective implementation of the legislative and policy framework for community rights protection and promotion; this has been shown by extensive research and interviews conducted by ECMI Kosovo, as well as findings of reports from international organisations⁵.

With a view to overcoming this challenge, in the framework of the project '*Supporting Effective Governance for Minority Communities in Kosovo*,' funded by the Swiss Federal Department of Foreign Affairs (FDFA), ECMI Kosovo proposed to develop and test a community rights M&E system based on indicators. Some of the key advantages of introducing such a system would be the following:

- The data collection conducted through monitoring would provide a wealth of relevant and measurable information, which would allow for the measurement of progress made and the identification of potential gaps and deficiencies in the implementation of community rights.
- The findings of the evaluation process would provide a strong basis for informed, evidence-based, targeted policy-making and the efficient use of the limited existing resources.
- It would strengthen transparency and accountability for the implementation of laws.
- It would increase institutional co-operation and co-ordination, which is lagging behind, presenting a hindrance to the European Union (EU) accession process.
- Finally, it would contribute to the process of accession to the EU and reporting to European and international bodies, namely:
 - the Council of Europe (CoE) Framework Convention for the Protection of National Minorities;
 - UN human rights treaties.

After conducting extensive research, in June 2013, ECMI Kosovo published the [Working Paper 'Community Rights Monitoring & Evaluation for the Kosovo Context'](#) based on the methodology developed by the United Nations (UN) Office of the High Commissioner of Human Rights (OHCHR),⁶ and organised a workshop to open up a debate on the topic with all relevant stakeholders. Government institutions, embassies and international organisations have generally shown support for the proposal on the development, testing and introduction of an indicator-based community rights M&E system in Kosovo.

As a result of consultations, ECMI Kosovo and the Office of the Language Commissioner (OLC) decided to jointly implement a pilot phase focusing on language rights. Some key factors supporting this are the paramount importance of language rights for communities, the persistently inadequate implementation of the *Law on the Use of Languages* and the great need to improve monitoring and

⁴ Green, 'What We Talk About When We Talk About Indicators: Current Approaches to Human Rights Measurement' p. 1065, in *Human Rights Quarterly*, Vol.23, no.4, The Hopkins University Press, 2001.

⁵ See e.g. EU Progress Report 2011, available at:

http://ec.europa.eu/enlargement/pdf/key_documents/2011/package/tr_rapport_2011_en.pdf (consulted on 12 December 2013).

⁶ The OHCHR has been engaged for years in the development and promotion of the use of this methodology, and has established widely accepted international norms on the use of indicators in human rights monitoring, as described in detail in its report 'Human Rights Indicators: A Guide to Measurement and Implementation'. Although the OHCHR's indicator framework does not specifically discuss community rights or language rights, but rather human rights in general, its methodology is transferable to community rights and language rights, which form a part of the human rights framework.

evaluation of this legislation, as well as the momentum created by the new establishment of the OLC.⁷ In particular, it was jointly decided to focus on the use of languages within the Kosovo Assembly, including translation and interpretation capacities, verifying the availability and quality of laws in the official languages, as well as budgetary and human resources.

1.2 Process and Methodology

Development of indicators matrix

Based on the OHCHR methodology, extensive research, and interviews with key local stakeholders carried out jointly with the OLC, ECMI Kosovo developed a matrix with a total of 34 indicators (see Annex 2) to assess and monitor the implementation of the provisions of Article 5 of the *Law on the Use of Languages*, with a special emphasis on paragraph 5.4 on the translation of laws into official languages:

Law No. 02/L-37 on the Use of Languages, Article 5

5.1. The official languages are used on an equal basis in the work, debates or other proceedings of the Assembly of Kosovo and its Committees. Facilities shall be made available for simultaneous interpretation from one official language into the others of the debates and other proceedings of the Assembly and its committees.

5.2. Members of the Assembly of Kosovo whose mother tongue is not an official language have the right to use their mother tongue in the work, debates or other proceedings of the Assembly of Kosovo and its Committees, as well as in public meetings organized by the Assembly of Kosovo. Facilities shall be made available to ensure interpretation from and into the member's language, if requested. Any document submitted by such members shall be translated into the official languages and all responses requested by the member shall be made to the member in the original language used by that member.

5.3. Official documents as well as official records of the debates or other proceedings of the Assembly of Kosovo and its Committees shall be kept and issued in official languages.

5.4. All laws adopted by the Assembly of Kosovo shall be issued and published in the official languages. The official language versions are equally authoritative. All promulgated laws shall be published into the Bosnian and Turkish languages.

In line with the OHCHR Indicator Framework, indicators identified through this process are both quantitative and qualitative, and also divided into process, structural and outcome indicators.⁸ They also emphasise the need for disaggregated data; in this case, disaggregation was mostly by language, language combination or different language services (translation, interpretation and proofreading).

The indicators matrix developed has been structured into five main thematic groups⁹ in order to provide a comprehensive overview of the use of languages within the work of the Kosovo Assembly, and to contribute to identifying challenges and potential recommendations to address them. The

⁷ The Office of the Language Commissioner, replacing the pre-existing Language Commission, was established in April 2012. The current Language Commissioner, Mr. Slaviša Mladenović, was appointed in December 2012.

⁸ For more information on indicators methodology and the proposal to introduce an indicator-based M&E for community rights in Kosovo, see ECMI Kosovo, 'Community Rights Monitoring & Evaluation for the Kosovo Context', June 2013, available at: <http://www.ecmikosovo.org/?p=3322>.

⁹ In addition, one general indicator was developed to identify the mother tongue of members of the Kosovo Assembly. See Chapter 3, Section 3.1 and Annex 1: Indicators Matrix.

indicators of each section are interrelated and need to be read in conjunction with other quantitative and qualitative indicators:

- **Mechanisms and facilities; human resources and capacities:**¹⁰ The indicators of this section aim to contribute to evaluating the capacities of in-house language services at the Assembly of Kosovo by assessing, *inter alia*, the number of professionals, their mother tongue and working language combinations, academic background and working experience, as well the availability of training opportunities and tools to support their work.
- **Work requirements**¹¹: The goal of this set of indicators is to assess whether professionals providing in-house language services to the Assembly of Kosovo have an adequate workload to provide high quality results, which is particularly important in view of the high level of expertise, knowledge and attention to detail required when translating and proofreading complex legal documents (which will become legally-binding upon their adoption), as well as the high degree of concentration needed to provide high-quality interpreting services.
- **Financial resources**¹²: These indicators measure the financial resources available for in-house and outsourced language services provided to the Assembly of Kosovo.
- **Responsiveness to requests**¹³: This set of indicators aims to measure whether the need for interpreting support among members of the Assembly whose mother tongue is not an official language is properly addressed, in accordance with the law (Article 5.2).
- **Availability and quality of services**¹⁴: The indicators of this section are intended to assess, *inter alia*, the qualitative aspect of Article 5.4, namely the quality of laws translated into official languages (in this case Serbian, with Albanian being the original language). It should be noted that the bodies entitled to propose draft laws – including ministries and Assembly Committees – are responsible for their translation prior to their introduction to the Assembly;¹⁵ as a result the quality of translation of laws depends on the language services of various institutions (both within and beyond the Assembly). Finally, it should also be mentioned that information on satisfaction of MPs vis-à-vis interpreting services could not be obtained.

In order to measure this final set of qualitative indicators, an evaluation system was developed by a linguistic expert (see Annex 2) and applied to a selection of five legal acts: one draft law and four laws introduced by different bodies in 2013, namely the Assembly of Kosovo, Office of the Prime Minister (OPM), Ministry of Education, Sciences and Technology (MEST), Ministry of Trade and Industry (MTI), and the Ministry of Labour and Social Welfare (MLSW). Even though this is a small sample, it was intended to provide a general assessment of quality and identify potentially recurring, concrete problems in the translation of laws into Serbian. Due to the nature of this pilot phase, the Turkish and Bosnian laws have not been assessed.

¹⁰ Indicators 2-11.

¹¹ Indicators 12-17.

¹² Indicators 18-19.

¹³ Indicators 20-23.

¹⁴ Indicators 24-34.

¹⁵ Every draft law introduced to the Assembly must be provided in the two official languages, Albanian and Serbian, as well as in English. As a result, translation is conducted by the body drafting the draft laws, including ministries and the Assembly. See ECMI Kosovo, *Handbook for CCC Members: Legal Documents and Training Manuals*, 2010. See also Annex 3: Legislative Initiative and Drafting Process, for further information on the legislative process.

Consultation

The indicators matrix was shared with a regional expert on monitoring and evaluation and with a linguistic expert for review and feedback. Subsequently, it was also presented at a technical meeting organised by ECMI Kosovo and the OLC with key stakeholders in the field for their comments, including representatives from different offices and committees from the Kosovo Assembly (Committee on the Rights and Interests of Communities and Returns, Department for Language Services, Department for the Standardisation and Harmonisation of Laws), the Office for Community Affairs (OCA), and the Consultative Council for Communities (CCC), as well as the Embassy of Switzerland in Kosovo and the OHCHR Office in Kosovo. During the meeting, participants provided useful insights into challenges in the use of languages within the Assembly and Kosovo institutions, as well as possible solutions. The main points raised had already been reflected in the matrix developed, and some new ones were incorporated after the meeting.

Data collection and assessment

In order to collect the data to measure the indicators, in addition to interviews and meetings conducted jointly by ECMI Kosovo and OLC, a series of questionnaires were developed targeting different groups within the Assembly of Kosovo, including the Heads and language professionals working at the Directorate of Language Services, the Directorate of Language Standardisation and Harmonisation of Laws, the Secretariat, the Directorate of Human Resources, the Directorate of Finances, and Members of Parliament (MPs).

All or most information required was gathered from the Head of the Directorate of Language Services and professionals working within its Translation Unit, as well as from the Head from the Directorate of Language Standardisation and the Directorates of Human Resources and Finances. On the other hand, on various grounds, it was not possible to obtain completed questionnaires from the proofreaders working under the Directorate of Language Services, the Assembly Secretariat or the MPs, within the timeframe of this pilot exercise. This was partly due to the fact that this exercise coincided with the last months of the working year. As a result, the focus of the key findings, conclusions and recommendations of this final report has been on the data available.

Evaluation of the process and identification of next steps

It is important to stress once again that this assessment has been conducted in the framework of a pilot phase to test the feasibility and value of the use of indicators for community rights M&E; as such, strengths and lessons learned will be identified, as well as next steps with regard to the proposal on the development of a comprehensive indicator-based community rights M&E system in Kosovo. The assessment will also be complemented with further analysis and research, and feedback from all stakeholders on this report is welcome.

2. LANGUAGE RIGHTS – INTERNATIONAL, REGIONAL AND DOMESTIC STANDARDS

This chapter presents an overview of international, regional and Kosovo domestic standards for the protection and promotion of language rights, the subject area of this report. As a matter of fact, these levels of standards greatly overlap, as the regulatory framework applicable in Kosovo largely incorporates international and regional standards. All of these play a crucial role in the protection and promotion of the use of non-majority languages in Kosovo's multi-ethnic society.

Language constitutes an essential dimension of individual and collective identity. The need for the protection and promotion of language rights is based on three main grounds: the principle of non-discrimination¹⁶, the will to actively preserve and promote cultural, ethnic and religious identities within a country¹⁷ or a region, and the right to access to services. Language rights are closely related to other fundamental human rights, including the right to freedom of expression, political rights, and the right to education. As such, language rights are necessary in practice to ensure equal participation in political, social and economic life for minority groups.

2.1 International and Regional Standards

In the recent past, international and regional organisations, including the United Nations (UN), the Council of Europe (CoE), and the Organization for Security and Co-operation in Europe (OSCE), have adopted a number of instruments that protect and promote language rights, often constituting a response to ethnic conflicts and growing demands for increased cultural and political autonomy. These instruments can either establish regimes of linguistic tolerance (creating *negative rights* to protect speakers of minority languages from discrimination and procedural unfairness, among other things¹⁸) or linguistic promotion (creating *positive rights* to key public services such as education and public media, through the medium of non-majority languages¹⁹). They typically acknowledge language as an integral part of the right to freedom of expression²⁰, affirm the right of persons belonging to national minorities to use their own language freely without interference or any form of discrimination²¹, and encourage equitable representation of communities in public institutions²².

Some of the most relevant international and regional human and minority rights instruments and policy documents that contain language rights provisions include the following:

- UN International Covenant on Civil and Political Rights (ICCPR)²³;

¹⁶ OSCE High Commissioner on National Minorities, 'Report on the Linguistic Rights of Persons Belonging to National Minorities in the OSCE Area'. The Hague: OSCE (Organization for Security and Co-operation in Europe) High Commissioner on National Minorities, 1999, available at: <http://www.osce.org/hcnm/42060> (consulted on 20 November 2013).

¹⁷ Dunbar, 'Is There a Duty to Legislate for Linguistic Minorities?', p. 193, in *Journal of Law and Society*, Vol. 33, No. 1, 2006.

¹⁸ *Ibid.*

¹⁹ *Ibid.*

²⁰ UN General Assembly, International Covenant on Civil and Political Rights, 16 December 1966, United Nations, Treaty Series, Vol. 999, Arts. 19(2) and 27, p. 171, available at: <http://www.refworld.org/docid/3ae6b3aa0.html> (consulted on 22 November 2013).

²¹ UN General Assembly, Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, 20 December 1993, A/RES/48/138, Art.2(1), available at: <http://www.refworld.org/docid/3b00f302c.html> (consulted on 22 November 2013).

²² Council of Europe, Framework Convention for the Protection of National Minorities, 1 February 1995, ETS 157, available at: <http://www.refworld.org/docid/3ae6b36210.html> (consulted on 22 November 2013).

²³ International Covenant on Civil and Political Rights adopted and opened for signature, ratification and accession by General Assembly Resolution 2200A (XXI) of 16 December 1966 entry into force 23 March 1976, Art. 19(2), available at:

- UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities²⁴;
- OSCE Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE (Copenhagen Document)²⁵;
- OSCE Oslo Recommendations Regarding the Linguistic Rights of National Minorities and Explanatory Note (Oslo Recommendations)²⁶;
- Council of Europe Framework Convention for the Protection of National Minorities (FCNM)²⁷;
- European Charter for Regional or Minority Languages (ECRML)²⁸.

Of particular importance is the European Charter for Regional or Minority Languages (ECRML), mentioned under Article 58 of the Kosovo *Constitution*²⁹, which offers one of the most advanced standards for language rights. It urges parties to ensure that administrative authorities use regional or minority languages, and requires that officers in contact with the public use applicable minority languages³⁰. It also specifies measures to be taken to allow and encourage, *inter alia*, the publication of official documents in and the use of minority languages in Assembly debates; these measures may require the provision of translation or interpretation and the adoption of appropriate recruitment policies and training programmes³¹. Although not legally binding, OSCE guiding documents are relevant and include detailed provisions on the use of languages in education, religion, media, community life, judicial proceedings, economic life, and the right to acquire documents and certificates from public institutions in official and national minority languages³².

2.2 Domestic Framework

To begin with, it should be noted that a number of the aforementioned international and regional instruments are directly applicable in Kosovo through its Constitution³³, including the ICCPR and the FCNM. As a result, Kosovo is obliged to implement these instruments, which have supremacy over domestic law. In addition, respect for human and minority rights, including language rights, are crucial for Kosovo's aspiration to join international and regional bodies such as the European Union (EU); this component is included in the so-called Copenhagen criteria for EU accession³⁴. Since 1993, the

<http://www2.ohchr.org/english/law/ccpr.htm> (consulted on 22 November 2013).

²⁴ UN General Assembly, Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, 20 December 1993, A/RES/48/138, Art. 2(1), available at: <http://www.refworld.org/docid/3b00f302c.html> (consulted on 22 November 2013).

²⁵ Organization for Security and Co-operation in Europe (OSCE), Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE, adopted at Copenhagen, 29 June 1990, available at: http://www.osce.org/documents/odihr/1990/06/13992_en.pdf (consulted on 20 November 2013).

²⁶ Organization for Security and Co-operation in Europe (OSCE), The Oslo Recommendations Regarding the Linguistic Rights of National Minorities, High Commissioner on National Minorities, 1 February 1998, available at: <http://www.refworld.org/docid/3dde546e4.html> (consulted on 21 November 2013).

²⁷ Council of Europe, Framework Convention for the Protection of National Minorities, 1 February 1995, ETS 157, available at: <http://www.refworld.org/docid/3ae6b36210.html> (consulted on 22 November 2013).

²⁸ Council of Europe: Parliamentary Assembly, *The European Charter for Regional or Minority Languages*, 21 October 2010, Doc. 12422, available at: <http://www.refworld.org/docid/4d8b18322.html> (accessed 15 December 2013).

²⁹ 'The Republic of Kosovo shall promote a spirit of tolerance, dialogue and support reconciliation among communities and respect the standards set forth in the Council of Europe Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages'. See Constitution of the Republic of Kosovo, available at: <http://www.kryeministri-ks.net/repository/docs/Constitution1Kosovo.pdf>.

³⁰ The European Charter for Regional of Minority Languages, 2010, Art. 10(4).

³¹ *Ibid.*

³² The Oslo Recommendations, 1998, para. 13.

³³ Constitution of the Republic of Kosovo, 2008, Art. 22.

³⁴ European Commission, Accession Criteria - Presidency Conclusions para. 7, point iii, 21-22 June 1993, available at: http://www.europarl.europa.eu/enlargement/ec/pdf/cop_en.pdf (consulted on 20 November 2013).

European Commission (EC) has placed significant importance on the position of minorities within candidate and potential candidate countries³⁵.

Language rights in the Republic of Kosovo are ensured through the *Constitution*, the *Law on the Protection and Promotion of Communities and their Members in the Republic of Kosovo*³⁶ and the *Law on the Use of Languages*³⁷. According to these legal documents, Albanian and Serbian languages and their respective alphabets are established as the official languages of the Republic of Kosovo³⁸. Official languages enjoy equal status³⁹ and citizens have the right to the use any of them in their relations with Kosovo public institutions⁴⁰. Furthermore, the languages of non-majority communities can be granted the status of an official language, or language in official use, at the municipal level if some criteria are met⁴¹. The key provisions of these three legal documents are as follows:

- Reflecting the importance of community rights in Kosovo, the *Constitution* dedicates one full chapter to the Rights of Communities and their Members, including language rights to guarantee members of all communities the right to express, maintain and develop their culture and preserve their language individually or in community⁴².
- The *Law on the Protection and Promotion of the Rights of Communities and their Members in Kosovo* outlines general provisions to enable communities to cultivate, develop and express their identity, including through the exercise of language rights in the fields of culture, media, religion, education, economic and social opportunities, health, and political participation.
- The adoption of the *Law on the Use of Languages* in October 2006 by the Assembly of Kosovo enabled the consolidation of all provisions pertaining to language rights in a single piece of legislation. Structured in four parts, it presents specific provisions on the areas of the use of languages in central institutions including the Kosovo Assembly (Article 5), in municipal institutions, in public enterprises, in judicial proceedings, in education, in media, for personal names, and in the private sphere⁴³. It also provides administrative instructions to ensure, promote and supervise its implementation, resulting in the establishment of the Language Commissioner⁴⁴.

In the context of this report, Article 5 of the *Law on the Use of Languages*, concerning the work of the Assembly, must be highlighted: compliance with its provisions is of paramount importance to ensure a fair and equal political participation and access to justice for communities in Kosovo. Translation and interpretation services are crucial in relation to the use of languages in the work of the Kosovo Assembly, as they constitute the primary means to guarantee the language rights of both Members of the Assembly (MPs) and the citizens affected by the legal acts adopted by the Assembly.

³⁵ See e.g. European Commission, Comprehensive Monitoring Report on the State of Preparedness for EU Membership of Bulgaria and Romania of 25 October 2005, available at: http://ec.europa.eu/enlargement/archives/pdf/key_documents/2005/sec1354_cmr_master_ro_college_en.pdf (consulted on 20 November 2013).

³⁶ Law on the Protection and Promotion of Communities and their Members in the Republic of Kosovo [No. 03/L-047], available at: <http://www.refworld.org/pdfid/4ae96cdc2.pdf> (consulted on 20 November 2013).

³⁷ Law on the Use of Languages [No. 02/L-37], available at: http://www.assembly-kosova.org/common/docs/ligjet/2006_02-L37_en.pdf (consulted on 22 November 2013).

³⁸ Constitution of the Republic of Kosovo, Art.5(1); Law on the Use of Languages [No. 02/L-37], Art. 2.1; Law on the Protection and Promotion of Communities and their Members in the Republic of Kosovo [No. 03/L-047], Art. 4.1.

³⁹ Law on the Use of Languages [No. 02/L-37], Art.2.1.

⁴⁰ Law on the Use of Languages [No. 02/L-37], Art.2.2.

⁴¹ Law on the Use of Languages [No. 02/L-37], Art.1(2) and 7.

⁴² Constitution of the Republic of Kosovo, Art.59(1).

⁴³ Law on the Protection and Promotion of Communities and their Members in the Republic of Kosovo [No. 03/L-047], Arts. 4-6, 7-10, 11, 12-18, 19-24, 25-26, 27, and 29-30.

⁴⁴ Law on the Use of Languages [No. 02/L-37], Art.32.

3. KEY FINDINGS

This chapter presents an overview of the findings of the pilot phase of monitoring language rights through the use of indicators implemented by ECMI Kosovo and the Office of the Language Commissioner. The ultimate goal of this pilot phase was to identify challenges and recommendations to address them, as well as to test the feasibility and usefulness of the use of indicators for community rights monitoring and evaluation (M&E).

The focus of this pilot phase has been on measuring compliance with Article 5 of the *Law on the Use of Languages*, concerning the work of the Assembly of Kosovo, which stipulates the following:

- official languages are to be used on an equal basis in the work, debates and proceedings of the Assembly and its Committees, including through interpretation services (Article 5.1);
- the obligation to enable the use of other community languages (Turkish, Bosnian, Romani) in the work, debates and proceedings of the Assembly through interpretation services and translation of documents (Article 5.2);
- the obligation to keep official documents and records in official languages (Article 5.3);
- the obligation to translate adopted laws into official languages and promulgated laws also into Turkish and Bosnian (Article 5.4).

As can be seen, translation and interpretation services are crucial when it comes to the use of languages in the work of the Kosovo Assembly; they are the primary means to guarantee the language rights of both Members of the Assembly (MPs) and the citizens affected by the legal acts adopted by the Assembly. In order to measure the implementation of and compliance with the provisions of Article 5, a matrix with 34 indicators was developed (see Annex 1), seeking to assess structural, quantitative and qualitative aspects.

Against this background, the focus of this exercise has been greatly on the capacities of and working conditions for language services of the Assembly of Kosovo; extensive information has been collected particularly on the Translation Unit, while data on the work of other units and departments was more limited. Indicators on the satisfaction of MPs with the interpreting services were also developed as a way to measure the effective enjoyment of language rights by rights-holders. Nonetheless, some information could not be obtained despite repeated efforts.

The language quality of laws in the official languages has also been one of the key areas analysed in this pilot exercise, as the poor quality of translation into Serbian is widely considered to be a pressing issue.⁴⁵ To that end, the quality of five selected laws and draft laws was assessed. It should be mentioned, however, that the bodies introducing draft laws to the Assembly, including ministries, are responsible for their translation; thus, the issue of the quality of translation of laws affects various different institutions.

⁴⁵ See e.g. OSCE Mission in Kosovo, 'Multilingual Legislation in Kosovo and its Challenges', February 2012, available at: <http://www.osce.org/kosovo/87704> (consulted on 12 December 2013).

3.1 General - Language Representation within the Assembly⁴⁶

This chapter is structured according to the thematic areas of the indicators matrix developed (see Annex 1) to assess the use of languages within the work of the Assembly. The first section (indicator 1) seeks to provide an overview of the language and ethnic representation within this institution, namely on the mother tongue of each MP and the community to which they belong (indicator 1). As the table below shows, out of 120 MPs, 97 members identify Albanian as their mother tongue (94 Albanians, 2 Ashkali and 1 Egyptian), 13 members identify Serbian as their mother tongue, five (5) members identify Bosnian (4 Bosniaks and 1 Gorani), four members identify (4) Turkish, and one (1) member identifies Romani⁴⁷.

Indicator 1 – Language representation (mother tongue) in the Assembly of Kosovo.

Findings – 97 Albanian, 13 Serbian, 5 Bosnian, 4 Turkish and 1 Romani.

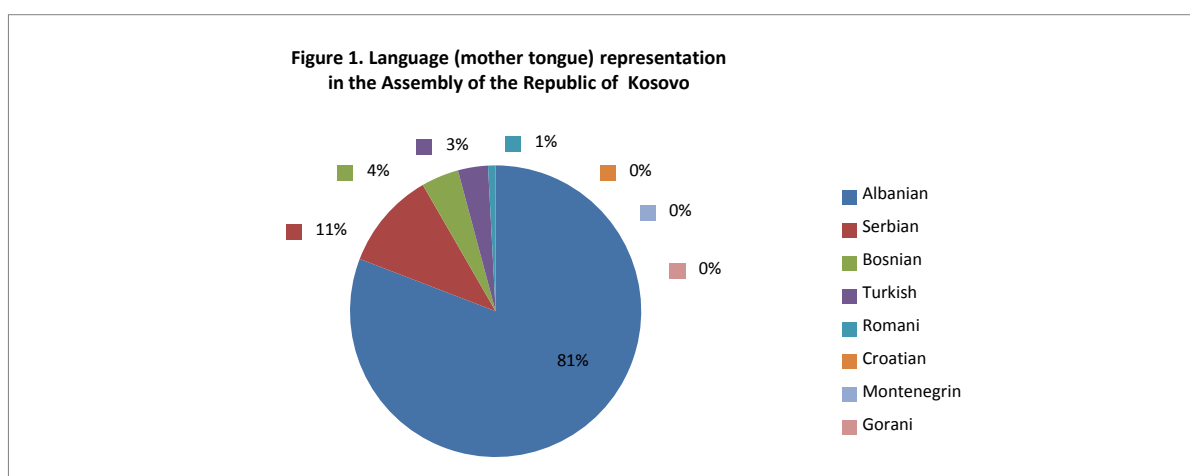


Table 1. Language (mother tongue) representation in the Assembly of Kosovo

COMMUNITY										
LANGUAGE		Albanian	Serb	Bosniak	Turkish	Roma	Ashkali	Egyptian	Gorani	TOTAL
	Albanian	94					2	1		97
	Serbian		13							13
	Bosnian			4					1	5
	Turkish				4					4
	Romani					1				1

3.2 Mechanisms and Facilities; Human Resources and Capacities⁴⁸

The indicators of this section (indicators 2-11) aim to contribute to evaluating the capacities and quality of the in-house language services at the Assembly of Kosovo by assessing: the number of professionals providing language services (interpretation, translation and proofreading), their mother tongue and working language combinations, their level of language knowledge, their academic background and relevant working experience, the availability of training opportunities to increase their knowledge and skills required to provide high-quality results, and their access to computer-

⁴⁶ This subsection corresponds to Section A of the indicators matrix, indicator 1 (see Annex 1: Indicators Matrix).

⁴⁷ Information provided through questionnaire by the Secretariat of the Assembly of Kosovo.

⁴⁸ This subsection corresponds to Section B of the indicators matrix, indicators 2-11 (see Annex 1: Indicators Matrix).

assisted translation (CAT) tools and other specialised tools that can contribute to ensuring efficiency, high quality and consistency in their work.

In-house and outsourced language services

Indicator 2 – (Existence of a) unit for language services at the Assembly of Kosovo.

Findings – Directorate of Language Services of the Assembly of Kosovo.

Indicator 3 – (Existence of a) unit for language standardisation at the Assembly of Kosovo.

Findings – Directorate for Language Standardisation of the Assembly of Kosovo.

The first two structural indicators developed (indicators 2 and 3) examine the different bodies in place dealing with language services within the Assembly of Kosovo and their mandates. As described by the respective heads of department, there is a Directorate for the Standardisation and Harmonisation of Laws (hereafter, Directorate for Language Standardisation) and a Directorate of Language Services⁴⁹.

The mandate of the Directorate for Language Standardisation includes the revision and elaboration of the preliminary report⁵⁰ on all the draft laws approved by the government and to be introduced in the Assembly of Kosovo; the translation into English of the laws issued by the Assembly of Kosovo; and the harmonisation and revision of final laws before they are adopted⁵¹.

The Directorate of Language Services is divided into three units:⁵²

- **Translation Unit:** It is responsible for the translation of materials⁵³ produced by all the services and departments of the Assembly of Kosovo, and of the amendments to all the laws introduced to the Assembly of Kosovo⁵⁴. In addition, given that the Office of the President (OP) and the Office of the Prime Minister (OPM) do not have a translation department, the Assembly Translation Unit also covers their needs. It is also responsible, when requested, for consecutive and/or simultaneous interpretation of the meetings of the thirteen Committees of the Assembly of Kosovo⁵⁵, the meetings of the Assembly Presidency, the Assembly plenary sessions, and the interviews, seminars and conferences attended by MPs and/or Assembly officials. Translation and interpretation services are normally provided from and into Albanian, Serbian and Turkish. Additionally, translation and interpretation services are provided from and into Croatian upon request.

⁴⁹ Information provided through questionnaire by the Secretariat of the Assembly of Kosovo.

⁵⁰ The preliminary reports elaborated by the Directorate for Language Standardisation include: notes on content, structure observations, accordance with the EU legislation and language harmonisation.

⁵¹ For more information, see Annex 3: Legislative Initiative and Drafting Process, for further information on the legislative process.

⁵² Information provided through questionnaire by the Head of the Directorate of Languages Services of the Assembly of Kosovo.

⁵³ Type of materials translated by the Assembly Translation Unit include, *inter alia*: amendments of all the laws passed by the Assembly, laws issued by the Assembly, recommendations, letters, normative acts, regulations of the Assembly administration, press releases, texts for Assembly's official webpage, Gazette materials, and transcriptions of the public hearings organised by the Assembly Committees. Most translated materials are available online.

⁵⁴ This includes amendments to the laws issued by the Assembly of Kosovo and other issuing institutions, namely laws developed by: the President of the Republic of Kosovo; the Government; the Members of Parliament (including Committees, a Member of the Assembly supported by five members or a Parliamentary Group); and more than ten thousand citizens, as provided by law.

⁵⁵ Normally, there are between two or three interpreters assisting each Committee meeting.

- **Proofreading Unit:** It is responsible for the review and proofreading of materials⁵⁶ produced within the work of the Assembly of Kosovo, written or translated into Albanian and Serbian.
- **Operators and Administration Unit:** It is responsible for printing and/or typewriting all the materials produced within the Directorate of Language Services of the Assembly of Kosovo.

Information was also collected on the recruitment process for language professionals at the Assembly of Kosovo. As explained by the Head of the Directorate of Language Services and the Head of the Human Resources Department of the Assembly of Kosovo, the criteria are based on academic background related to the working area (advanced studies in the area of linguistics or social sciences are a requirement, whereas legal qualifications⁵⁷ in the area of law are an asset) and professional background (the minimum required is of two/three years of related previous working experience) of the candidates. Certification by the Prishtinë/Priština District Court is not a requirement for the professionals working at the Assembly of Kosovo, though it is considered an asset⁵⁸.

Nevertheless, challenges were reported in recruiting qualified language professionals. For example, the last call for applications for the Translation Unit was closed with no candidates recruited⁵⁹. The low salaries received by language professionals were mentioned as one possible factor for such situation at the technical meeting organised by ECMI Kosovo and OLC on 13 November⁶⁰ and on other occasions; however, the information provided by the Directorate of Language Services seems to indicate that salaries for these professionals within the Assembly of Kosovo are comparatively not too low in line with local standards.⁶¹ Difficulties in recruitment suggest nonetheless that these do not seem to be very attractive positions or candidates not suitably qualified.

Finally, data was also sought on the outsourcing of language services. According to the Head of the Directorate of Language Services of the Assembly of Kosovo, the Translation Unit only outsources English translation and interpretation services⁶². In this context, the professionals providing in-house language services claim for the need to hire English translators and interpreters in order to avoid services outsourcing⁶³. In addition, it has also been provided that the quality of the outsourced translation services tends to be of low quality, mainly because these tend to be assigned to low cost companies⁶⁴.

⁵⁶ Types of materials reviewed by the Assembly Proofreading Unit include law amendments, draft laws issued by the Assembly of Kosovo, minutes, reports, normative acts and official letters.

⁵⁷ Legal studies are a requirement for translators working in the Department of Legal Services.

⁵⁸ Information provided through questionnaires by the Head of the Directorate of Language Services of the Assembly of Kosovo, and the Head of the Directorate for Standardisation Services of the Assembly of Kosovo.

⁵⁹ Information provided by the Head of the Directorate of Language Services of the Assembly of Kosovo when interviewed by ECMI Kosovo, 27 September 2013, and the Head of the Directorate of Language Services of the Assembly of Kosovo at the technical meeting organised by ECMI Kosovo and the Office of the Language Commissioner, 13 November 2013.

⁶⁰ As highlighted by a representative of the Consultative Council for Communities (CCC).

⁶¹ As reported by the Head of the Directorate of Language Services of the Assembly of Kosovo, interviewed by ECMI Kosovo, 17 January 2014, the salary of the language professionals providing translation, interpretation and proofreading services to the Assembly of Kosovo (except for two with lower experience whose salary of 590 Euros) is of 630 Euros net. The same goes for the Directorate for Language Standardisation employees.

⁶² Information provided through questionnaires by the Head of the Directorate of Language Services of the Assembly of Kosovo.

⁶³ Information provided through questionnaires by the professionals providing in-house translation and interpretation services at the Assembly of Kosovo.

⁶⁴ Information provided by the Head of the Directorate of Language Services of the Assembly of Kosovo at the technical meeting organised by ECMI Kosovo and the Office of the Language Commissioner, 13 November 2013.

Human capacities and language proficiency

Indicator 4 – Number of professionals providing in-house language services at Assembly of Kosovo; disaggregated by: professional role, mother tongue and language combinations.

Findings – *There are 20 language professionals working under the Directorate of Language Services of the Assembly of Kosovo, out of which 11 provide both translation and interpretation services as required, with no distinction, and five (5) provide proofreading services.*

Among the 11 professionals providing translation and interpretation services, eight (8) have Albanian as mother tongue, one (1) is bilingual in Albanian and Croatian, and two (2) are Turkish native speakers. Even though all professionals have Serbian as their first foreign language, there are no Serbian native speakers. Among the five (5) professionals providing proofreading services, three (3) are Albanian and two (2) are Serbian native speakers.

All professionals provide services from and into all their working languages without distinction; the most frequent working language combinations are Albanian-Serbian-Albanian and Albanian-Bosnian-Albanian.

According to the Head of the Directorate of Language Services of the Assembly of Kosovo, there are 20 language professionals working under the Directorate:⁶⁵ 11 translators/interpreters⁶⁶ (no distinction) working under the Translation Unit, five (5) proofreaders under the Proofreading Unit (2 for the Serbian language and 3 for the Albanian language), three (3) transcribers/copy typists, and one (1) administrative assistant⁶⁷. As a key finding, it should be noted that all professionals providing translation and interpretation reported to offer both services as required, indistinctively⁶⁸.

Among the 11 professionals providing translation and interpretation services under the Translation Unit, ten (10) provided answers to the questionnaires. The mother tongue of the majority – eight (8) – is Albanian. In addition, there is one (1) bilingual native speaker of both Albanian and Croatian, and two (2) Turkish native speakers⁶⁹. As can be seen, there is no professional in this Directorate whose mother tongue is Serbian, Bosnian or Romani. All language professionals have Serbian as a first foreign language,⁷⁰ and only one claims to have a second foreign language, namely Albanian⁷¹.

⁶⁵ The total number of staff is 21 including the Head of the Directorate.

⁶⁶ The 11 professionals working under the Directorate of Language Services providing translation and interpretation services are the in-house language professionals of the Assembly of Kosovo that have been targeted for this assessment.

⁶⁷ Information provided through questionnaire by the Head of the Directorate of Language Services of the Assembly of Kosovo.

⁶⁸ Information provided through questionnaires by the professionals providing in-house translation and interpretation services at the Assembly of Kosovo and the Head of the Directorate of Language Services of the Assembly of Kosovo at the technical meeting organised by ECMI Kosovo and the Office of the Language Commissioner, 13 November 2013.

⁶⁹ Among the 11 professionals providing in-house translation and interpretation services at the Assembly of Kosovo, only ten (10) provided answers to the questionnaires. ECMI Kosovo had access to the language information of the remaining professional through consultation.

⁷⁰ Usually translators/interpreters have one native language (A) – or two in the case of those raised bilingually –, a first foreign language (B) and a second foreign language (C). Ideally, translators/interpreters should mainly work into language A (or B) to ensure the highest possible quality in the services provided.

⁷¹ Information provided through questionnaires by the professionals providing in-house translation and interpretation services at the Assembly of Kosovo.

Table 2. Mother tongue of the professionals providing translation and interpretation at the Assembly of Kosovo	Number of Professionals
Albanian	9
Serbian	0
Bosnian	0
Romani	0
Turkish	2
Gorani	0
Croatian	1
Montenegrin	0
<i>Total</i>	<i>11⁷²</i>

Concerning the mother tongue of the five (5) professionals providing proofreading services, three (3) are Albanian and two (2) are Serbian native speakers.⁷³ While it is positive that there are two (2) Serbian native speakers working as proofreaders, this does not seem to be enough nor compensate for the lack of Serbian native speakers providing translation, interpretation or standardisation services.

Regarding the working language combination of translators and interpreters, among the ten (10) professionals who answered the questionnaires, nine (9) provide services from Albanian into Serbian and vice versa (claiming they would need at least three more professionals covering this service⁷⁴). Out of these nine (9), six (6) also provide services from Albanian into Bosnian and vice versa. Out of these six (6), two (2) provide services from Serbian into Bosnian and vice versa, and one (1) provides services from Albanian into Croatian and vice versa. Furthermore, there are two (2) professionals providing translation and interpretation assistance from Albanian and Serbian into Turkish, and vice versa. In this context, it is important to reiterate that no distinction is being made regarding translation and interpretation directions (that is, professionals translate and interpret both from and into their working languages), and that there is no in-house language service covering the Romani language⁷⁵.

Table 3. Working language combination of professionals providing translation and interpretation at the Assembly of Kosovo	Number of Professionals
Albanian-Serbian-Albanian	9
Albanian-Bosnian-Albanian	6
Serbian-Bosnian-Serbian	2

⁷² One professional is bilingual, thus both Albanian and Croatian count as mother tongue.

⁷³ Information provided through questionnaire by the Head of the Directorate of Language Services of the Assembly of Kosovo.

⁷⁴ Information provided by the representative of the professionals providing in-house translation and interpretation services at the Assembly of Kosovo at the technical meeting organised by ECMI Kosovo and the Office of the Language Commissioner, 13 November 2013.

⁷⁵ Information provided through questionnaires by the professionals providing in-house translation and interpretation services at the Assembly of Kosovo.

Albanian-Turkish-Albanian	2
Albanian-Croatian-Albanian	1
Serbian-Turkish-Serbian	2

Finally, as provided by the Head of the Directorate for Language Standardisation of the Assembly of Kosovo, there are four (4) professionals providing in-house standardisation services: two (2) from Albanian into English and vice-versa, and two (2) from Albanian into Serbian and vice versa⁷⁶. The mother tongue of these four (4) professionals is Albanian. No further information is available on standardisation services, as questionnaires were incomplete or were not returned.

Indicator 5 – Level of knowledge of the first and second foreign language of professionals providing in-house language services at Assembly of Kosovo; disaggregated by: professional role and language.

Findings – According to a self-evaluation, all professionals claim to have level C2, the highest level, in their first and second foreign language. Six out of the 11 (54%) professionals are certified.

In general terms, translators or interpreters ideally work into their mother tongue. Nevertheless, in line with the information gathered through consultations and as shown by the indicators above, most professionals at the Assembly of Kosovo work not only into their mother tongue, but also into their first foreign language. This is particularly the case for the Serbian language, one of the two official languages, as there is no Serbian native speaker.

It was thus considered important to assess the level of knowledge of the foreign languages. Professionals were required to conduct a self-assessment of their level of knowledge of their first and second foreign languages, based on the methodology provided by the ‘European Levels Self-Assessment Grid.’ All professionals who responded to the questionnaire assessed their foreign language knowledge with a C2, the highest level⁷⁷. This information needs to be considered with caution, however, as it is based on a self-assessment and does not always reflect the final quality of translation (even though issues such as extreme time constraints and the high workload, discussed below, need to be taken into consideration as well). When asked about official language certification, six (6) out of the ten (10) professionals claimed to be certified translator(s)/interpreter(s) by the Prishtinë/Priština District Court⁷⁸.

Academic background of language professionals

Indicator 6 – Number/Percentage of professionals providing in-house language services at the Assembly of Kosovo, with a degree/s in the working area; disaggregated by: professional role.

Findings – 6 out of 11 (54%) of the professionals have a degree/s in the working area, mostly in Albanian language studies.

⁷⁶ Information provided through questionnaire by the Head of the Directorate for Language Standardisation of the Assembly of Kosovo.

⁷⁷ See the European Language Level Self-Assessment Grid. Accessible at: http://www.coe.int/t/dg4/education/elp/elp-reg/Source/assestement_grid/assessment_grid_english.pdf (consulted on 9 December 2013).

⁷⁸ Information provided through questionnaires by the professionals providing in-house translation and interpretation services at the Assembly of Kosovo.

Indicator 7 – Number/Percentage of professionals providing in-house language services at the Assembly of Kosovo providing language services, with graduate or postgraduate studies in Law; disaggregated by: professional role.

Findings – 1 out of 11 (9%) of the professionals have graduate or postgraduate studies in Law.

According to the information provided by the language professionals of the Translation Unit, nine (9) out of 11 (81%) have completed university studies. Among them, 6 (54% of the total) have an academic background in the area of linguistics: one (1) professional has a Bachelors and a Masters in Translation and Interpretation and five (5) have a Bachelors in Albanian language studies and literature from the Philology Faculty of the University of Prishtina. Other academic backgrounds among the language professionals of the Assembly of Kosovo are Economics, Political Science and Journalism⁷⁹. On the other hand, only one (1) of the Assembly language professionals (9%) declares to completed have legal studies⁸⁰.

Figure 2.
Professionals with a degree in a relevant area

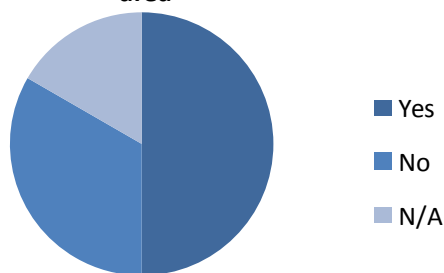
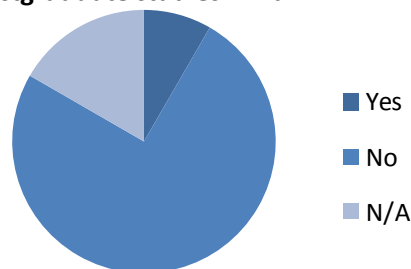


Figure 3.
Professionals with graduate or postgraduate studies in Law



Even though a university degree in languages or translation/interpreting studies is not fully indicative of the quality of services provided on its own, as other factors such as working experience and individual skills are crucial, it is an important aspect that must be considered in line with international good practices. Similarly, substantial knowledge of legal issues, along with language proficiency, is an important asset for professionals dealing with legal documents as those working within the Assembly of Kosovo. Accordingly, translators and interpreters with, for example, a degree in Law and a Masters

⁷⁹ *Ibid.*

⁸⁰ This professional graduated in Criminology and Security Studies from the Law Faculty of the University of Sarajevo.

in Translation and Interpreting (or other similar combinations) would be ideal for the work required within the Assembly.

Nevertheless, there are various challenges in this Kosovo context. Although the academic background was listed as key criteria in the hiring process of the Kosovo Assembly language services, as aforementioned, difficulties have been reported in hiring qualified professionals⁸¹, which may be partly due to the low compensation package offered to these posts⁸². Furthermore, it is important to mention that there is currently no university degree in translation studies and/or languages for both Albanian and Serbian languages available in Kosovo, nor the possibility to learn both languages during primary or secondary education. Nonetheless, in view of this situation, it would be desirable to work towards the development of such opportunities, and to fill this gap through more intensive capacity-building in the short-term.

With regard to knowledge of legal issues and terminology, it should be considered to include this in the capacity-building programme for translators and interpreters working within the Kosovo Assembly, as well as with other government institutions, as this field was not covered in the 2013 programme, as described below. This seems to be a pressing issue: as pointed out by one of the experts who assessed the quality of various laws and one draft law issued by different institutions in 2013 (including various ministries, the OPM and the Assembly), it often seemed evident that the translators working under different institutions lacked a deep understanding and command of legal issues and terminology⁸³.

Working experience of language professionals

Indicator 8 – Average years of working experience among the professionals providing in-house language services at the Assembly of Kosovo.

Findings – 19 years.

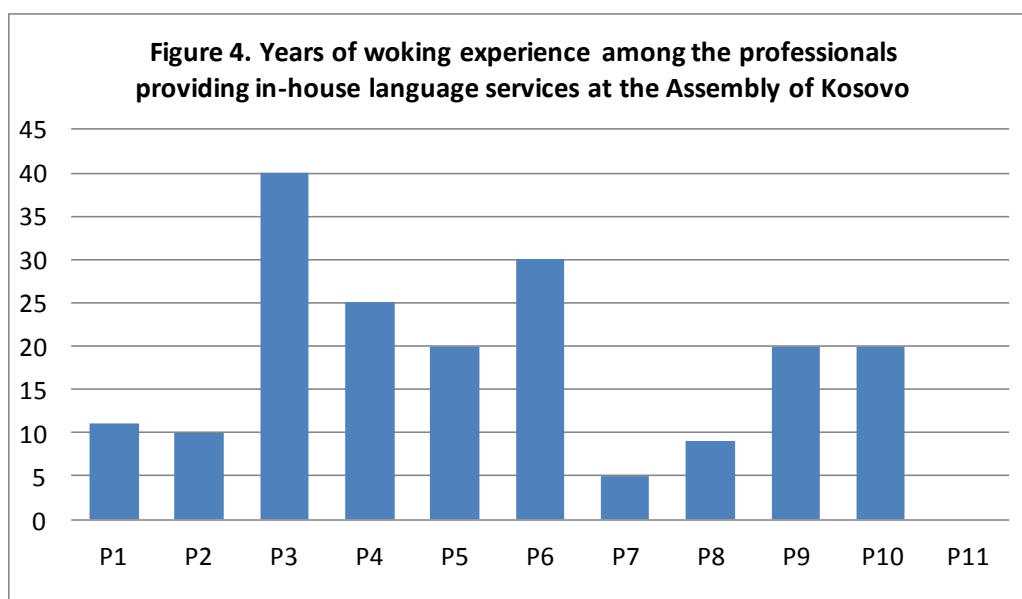
According to the information provided, language professionals of the Assembly of Kosovo have on average 19 years of working experience in both translation and interpretation assistance, with 40 years being the longest of the working experiences and between nine (9) and five (5) years being the shortest, and 10 or above for the rest⁸⁴. It is important to note that working experience was reported to be considered the most important factor when recruiting new professionals.

⁸¹ Information provided by the Head of the Directorate of Language Services of the Assembly of Kosovo when interviewed by ECMI Kosovo, 27 September 2013.

⁸² As highlighted by a representative of the CCC.

⁸³ See Chapter 3, Section 3.6.

⁸⁴ Information provided through questionnaires by the professionals providing in-house translation and interpretation services at the Assembly of Kosovo.



Capacity-building opportunities

Indicator 9 – Training programmes for the professionals providing language services to the Assembly of Kosovo and its Committees.

Findings – Yes - One training programme on capacity building and skills for consecutive and simultaneous translation techniques; three training programmes on IT facilities on the use of the software OmegaT, Microsoft Word Processor and on Microsoft tools; one training programme on the role of administration in the work of the Assembly; and no training programmes on legal issues.

A further qualitative factor measured through the indicators was the provision of training programmes to strengthen the competency, performance and skills of professionals providing language services to the Assembly during 2013. Considering the absence of a university degree in translation and interpreting in the official languages in Kosovo, and the persisting problems with quality, this is particularly relevant for the Kosovo context.

According to the information gathered, the programmes provided included⁸⁵: one (1) training programme on capacity building and skills on consecutive and simultaneous translation techniques; three (3) training programme on IT facilities on the use of the software OmegaT⁸⁶ (which however is not fully functional), Microsoft Word Processor and on Microsoft tools; one (1) training programme on the role of administration in the work of the Assembly; and no training programmes on legal issues⁸⁷. In general, training has been well received, and positively evaluated by the language professionals

⁸⁵ Information provided through questionnaires by the Head of the Directorate of Language Services of the Assembly of Kosovo.

⁸⁶ OmegaT is a computer-assisted translation tool written in the Java programming language. It is a free software and it is intended for professional translators. Accessible at: <http://www.omegat.org/en/omegat.html> (consulted 1 December 2013).

⁸⁷ The most recent training in legal issues was provided in June 2012. The title of the training was 'Theoretical Aspects of Legal Translation and their Practical Importance'.

who attended and provided their feedback through the questionnaires⁸⁸. Nevertheless, as pointed out above, the provision of training on legal issues should be considered a priority.

Availability of computer-assisted translation tools and other specialised tools

Indicator 10 – Computer-assisted translation tools and other specialised tools to assist the work of the translators and proofreaders of the Assembly; disaggregated by: tools.

Findings – A limited number of tools available and fully functional.

There is a wide range of computer-assisted translation (CAT) tools and other specialised tools available in the market to contribute to ensuring higher quality, consistency and efficiency in the work of translators and proofreaders. Information was thus collected on the availability of such tools for professionals working within the Assembly of Kosovo (indicator 10).

Professionals state to have access to spelling and grammar checker tools, through programmes such as Corrector 2.0, Google Translate and Microsoft Office, as well as to Terminology Managers⁸⁹ and Corcondancers⁹⁰ applications through the newly installed software OmegaT⁹¹. Nonetheless, as stated by the Head of the Directorate of Language Services of the Assembly of Kosovo, the software OmegaT is not being used as a consequence of an outdated version of Windows⁹². Other relevant tools such as electronic dictionaries, terminology database or translation memory tools are not available to assist the Assembly translator's work⁹³.

Table 4. Computer-assisted translation tools⁹⁴ at the Translation Unit		Name of the tool/programme	Language availability
Spell checker ⁹⁵	✓	- Corrector 2.0 - Google Translate - Microsoft Office	Albanian Serbian
Grammar checker ⁹⁶	✓	- Corrector 2.0 - Google Translate - Microsoft Office	Albanian Serbian
Electronic dictionaries	✗	Not electronic Literature available in the office	Albanian Serbian

⁸⁸ Information provided through questionnaires by the professionals providing in-house translation and interpretation services at the Assembly of Kosovo.

⁸⁹ This tool allows the translator to manage his/her own terminology bank in an electronic form. This can range from a simple table created in the translator's word processing software or spreadsheet, a database created in a programme such as FileMaker Pro or, for more robust solutions, specialised software packages such as SDL MultiTerm, LogiTerm, Termex, etc.

⁹⁰ Programmes that retrieve instances of a word or an expression and their respective context in a monolingual, bilingual or multilingual corpus, such as a bitext or a translation memory.

⁹¹ Information provided through questionnaires by the professionals providing in-house translation and interpretation services at the Assembly of Kosovo.

⁹² Information provided through questionnaire by the Head of the Directorate of Language Services of the Assembly of Kosovo.

⁹³ Information provided through questionnaires by the professionals providing in-house translation and interpretation services at the Assembly of Kosovo.

⁹⁴ This list contains a non-exhaustive selection of computer-assisted tools developed by a linguistic expert hired by ECMI Kosovo, and considered to be relevant and necessary for the work adequacy of professional translators. See, e.g. <http://www.cattools.org/>; <http://www.translationzone.com/products/cat-tools/>.

⁹⁵ An application programme that flags words in a document that may not be spelled correctly. It can be a feature of a major programme such as a word processor.

⁹⁶ A programme, or part of a programme, that attempts to verify written text for grammatical correctness. It can be a feature of a major programme such as a word processor.

Terminology database ⁹⁷	✗		
Terminology managers ⁹⁸	✗		
Indexers ⁹⁹	✗		
Concordancers ¹⁰⁰	✗		
Bitext aligners ¹⁰¹	✗		
Translation memory tools ¹⁰²	✗		

Language standardisation tools

Indicator 11 – Comprehensive language system for the standardisation of terms, to support and harmonise the language services of the Assembly of Kosovo; disaggregated by: types of tools.

Findings – *There is no comprehensive system in place; there are only some print materials available.*

When dealing with technical documents such as laws and other legal texts, the consistent and accurate use of terminology is of paramount importance. Therefore, a qualitative indicator (indicator 11) was developed to monitor and assess the availability of tools for this purpose (such as glossaries and terminology databases), which constitute a crucial aspect of the working conditions of translators and proofreaders within the Kosovo Assembly and within other government institutions.

The Head of the Directorate for Language Standardisation stated that computer-assisted tools and other specialised tools designed to support the work of the professionals providing standardisation services to the Assembly of Kosovo are not available¹⁰³. However, the Head of the Human Resources Department of the Assembly of Kosovo states that although not in an electronic format, the standardisation professionals of the Assembly of Kosovo rely on the support of glossaries, dictionaries and other terminology materials¹⁰⁴.

⁹⁷ Either on the host computer or accessible through the Internet, such as TERMIUM Plus.

⁹⁸ This tool allows the translator to manage his/her own terminology bank in an electronic form. This can range from a simple table created in the translator's word processing software or spreadsheet, a database created in a programme, such as FileMaker Pro or, for more robust solutions, specialised software packages, such as SDL MultiTerm, LogiTerm, Termex, etc.

⁹⁹ Tool that allows the user to query already translated texts or reference documents of various kinds. Some such indexers are ISYS Search Software, dtSearch Desktop and Naturel.

¹⁰⁰ Programmes that retrieve instances of a word or an expression and their respective context in a monolingual, bilingual or multilingual corpus, such as a bitext or a translation memory.

¹⁰¹ Tools that align a source text and its translation which can then be analysed using a full-text search tool or a concordance.

¹⁰² Tool consisting of a database of text segments in a source language and their translations in one or more target languages.

¹⁰³ Information provided through questionnaire by the Head of the Directorate for Language Standardisation Services of the Assembly of Kosovo.

¹⁰⁴ Information provided through questionnaire by the Head of the Human Resources Department of the Assembly of Kosovo.

Table 5. Computer-assisted translation tools ¹⁰⁵ at the Department for Standardisation		Remarks
Database of the documents produced the Assembly of Kosovo, in original and translated form	✗	
Repository of laws (legislation passed by the Assembly of Kosovo)	✗	
Online glossaries	✗	Hard copies of glossaries available in the office
Electronic dictionaries	✗	Hard copies of dictionaries available in the office
Terminology database ¹⁰⁶	✗	
Translation memory	✗	

3.3 Work Requirements¹⁰⁷

This section of indicators (indicators 12-17) aims to assess whether professionals providing in-house language services to the Assembly of Kosovo have an adequate workload to provide high quality results. This is particularly important in view of the high level of expertise, research and attention to detail required when translating and proofreading complex legal documents (which will become legally-binding upon their adoption), as well as the high degree of concentration needed to provide high-quality interpreting services. As a result, a high workload can have an impact on the quality of results, the same way as the qualification of professionals and the availability of relevant working tools. The findings of this section need to be evaluated in conjunction with those of other sections.

Workload

Indicator 12 – Workload level of professionals providing in-house language services working at the Assembly of Kosovo.

Findings – High workload.

Indicator 13 – Average of consecutive working hours dedicated to interpreting, registered per day by professionals providing in-house interpreting services at the Assembly of Kosovo.

Findings – 3.8 of consecutive hours for interpreting services from Albanian into Serbian and 1.5 hours of consecutive hours for interpreting services from Serbian into Albanian.

Indicator 14 – Average of number of pages to translate and proofread per day by the professionals working at the Assembly of Kosovo providing translation and proofreading support.

Findings – 13.2 pages to translate per day for translation services from Albanian into Serbian, and 5 pages to translate per day for translation services from Serbian into Albanian.

¹⁰⁵ This list contains a non-exhaustive selection of computer-assisted tools ECMI Kosovo's Language experts consider to be relevant and necessary for the work adequacy of language professionals, accessible at: <http://www.cattools.org/>; <http://www.translationzone.com/products/cat-tools/> (consulted: 9 December 2013).

¹⁰⁶ Either on the host computer or accessible through the Internet, such as TERMIUM Plus.

¹⁰⁷ This subsection corresponds to Section C of the indicators matrix (see Annex 1: Indicators Matrix).

Indicator 15 – Total number of pages translated and proofread by the professionals working at the Assembly of Kosovo providing translation and proofreading support.

Findings – 6292 pages (January – June 2013).

Indicator 16 – Total number of meetings where interpreting services were provided by professionals providing in-house interpreting services at the Assembly of Kosovo.

Findings – 486 meetings (January - June 2013).

Indicator 17 – Time available for translation and proofreading of laws and amendments within the Assembly of Kosovo.

Findings – Requests for translation need to be addressed as they arise, independently of the overall workload level or length of the document, and the timeframe available for translation and proofreading, tends to be very limited and insufficient. On the other hand, the timeframe available for the standardisation of laws and amendments prior to their adoption is of 10 consecutive days.

According to the professionals providing in-house language services to the Assembly of Kosovo, the workload level for translators and interpreters is very high¹⁰⁸. This is partly due to the fact that requests need to be addressed as they arise, independently of the overall workload level or length of the document, and that the timeframe available for translation and proofreading thus tends to be very limited¹⁰⁹.

When specifically referring to the translation of law amendments, the Assembly language professionals stated that their work is negatively affected by the limited timeframe and lack of availability of the original laws issued by other institutions¹¹⁰. Finally, the timeframe available for the standardisation of laws and amendments, before adoption, is of 10 consecutive days¹¹¹.

The average number of pages to translate per day by the language professionals of the Assembly of Kosovo is 13.2 pages for translation services from Albanian into Serbian, which seems to be very high and may thus impact on quality¹¹², and five (5) pages for translation services from Serbian into Albanian¹¹³. The average number of consecutive working hours dedicated to interpreting, registered

¹⁰⁸ Information provided through questionnaires by the professionals providing in-house translation and interpretation services at the Assembly of Kosovo.

¹⁰⁹ Information provided through questionnaire by the Head of the Directorate of Language Services of the Assembly of Kosovo, and the Head of the Directorate for the Standardisation and Harmonisation of Laws of the Assembly of Kosovo at the technical meeting organised by ECMI Kosovo and the Office of the Language Commissioner, 13 November 2013.

¹¹⁰ Information provided by the representative of the professionals providing in-house translation and interpretation services at the Assembly of Kosovo at the technical meeting organised by ECMI Kosovo and the Office of the Language Commissioner, 13 November 2013.

¹¹¹ Information provided by the Head of the Directorate for Standardisation of the Assembly of Kosovo, when interviewed by ECMI Kosovo, 17 January 2014.

¹¹² The number of pages that may be translated per day without compromising the quality of the results is of course not 'universal' and depends on many factors, including the complexity of the text and its format, as well as the translator's qualifications, experience and familiarity with the topic and terminology. However, according to external translators surveyed, as well as good practices from other countries, an adequate number for legal or technical texts would be between 5-7 pages per day (with 10 as a maximum). In addition, it should be taken into account that there are no Serbian native speakers working within the Translation Unit of the Kosovo Assembly, which seems to be an additional aggravating factor along with the high workload for translation from Albanian into Serbian. See e.g. Translation Unit of the Office of the Prime Minister of Finland- <http://vnk.fi/toiminta/kielipalvelut/sanastot/fi158016.jsp#ohjeet> and Croatian Association of Scientific and Technical Translation- http://www.drustvoprevoditelja.htnet.hr/prev_centar_e.htm ; Translation Unit of the Office of the Prime Minister of Finland- <http://vnk.fi/toiminta/kielipalvelut/sanastot/fi158016.jsp#ohjeet>.

¹¹³ Information provided through questionnaires by the professionals providing in-house translation and interpretation services at the Assembly of Kosovo.

per day by the language professionals of the Assembly of Kosovo is 3.8 hours for interpreting services from Albanian into Serbian and 1.5 hours for interpreting services from Serbian into Albanian¹¹⁴.

In this context, it is important to bear in mind that, as mentioned before, there is no division between the work of translators and interpreters in the Assembly of Kosovo, meaning that the amount of work corresponding to each service falls on the same professionals. When further comments on workload were requested, several professionals stated in their questionnaires that they *'feel overburdened at work'* given the fact that they *'have to daily provide both simultaneous interpretation, consecutive interpretation and translation services'* in a context where there is *'insufficient time and personnel to cover all the language services needs that the work of the Assembly of Kosovo, its committees and the correspondent working groups require, on a daily basis'*¹¹⁵.

Table 6. In-house language services provided in 2012 and 2013¹¹⁶	2012 (January-December)	2013 (January-June)
Requests for translating materials	2931	1490
Number of pages translated	8591	5138
Number of pages proofread	2078	1154
Number of interpretation services provided to meetings of the Assembly of Kosovo Committees	582	368
Number of interpretation services provided to plenary sessions of the Assembly of Kosovo	55	48
Number of interpretation services provided to meetings of the leadership of the Assembly of Kosovo	49	26
Number of interpretation services provided to public hearings of the Assembly of Kosovo Committees	N/A	11
Number of other types of meetings where Interpretation services were provided	98	33

3.4 Financial Resources¹¹⁷

Financial resources are crucial when assessing the capacities and work of specific bodies. Budget allocation can also reflect whether an area is being adequately funded and prioritised. Accordingly, quantitative indicators (indicators 18-19) were developed to monitor the financial resources allocated to in-house and outsourcing language services for the work of the Assembly of Kosovo. Results need to be evaluated by experts and considered both in absolute (total figures) and relative numbers (percentage).

¹¹⁴ *Ibid.*

¹¹⁵ *Ibid.*

¹¹⁶ Information provided through questionnaire by the Head of the Directorate of Language Services of the Assembly of Kosovo.

¹¹⁷ This subsection corresponds to Section D of the indicators matrix (see Annex 1: Indicators Matrix).

Budget for in-house language services

Indicator 18 – Amount/Percentage of the Assembly budget allocated to in-house language services provided to the Assembly of Kosovo; disaggregated by: language services.

Findings – 230.000 Euros / 1.35% of the total budget of the Assembly.

As provided by the Head of the Directorate of Finances of the Assembly of Kosovo, the total 2013 budget of the Assembly of Kosovo is 17.010.692 Euros, out of which 8.249.692 is allocated for the Assembly's own needs and 8,761,000 is allocated for RTK subsidies. The budget allocated to the work of the Directorate of Language Services is of 230.000 Euros (including both salaries and material), that is 1,35% of the total budget¹¹⁸. No disaggregated data is available on budget allocation for different language services.

In view of the demonstrated high workload, limited human resources, low salaries received by professionals providing language services (which hampers recruitment of highly qualified staff), and the resulting persistent problems in ensuring the quality of translation of laws, increasing the budget allocated for Kosovo Assembly in-house language services should be considered.

Budget for outsourced language services

Indicator 19 - Amount/Percentage of the Assembly budget allocated to outsourcing language services provided to the Assembly of Kosovo; disaggregated by: language services.

Findings – 10.000 Euros, 0.05% of the total budget.

In line with the information provided by the Head of the Directorate of Finances of the Assembly of Kosovo, 10.000 Euros (0,05%) of the 2013 Assembly budget was allocated to outsourcing language services provided to the Assembly of Kosovo, of which 3.116,44 Euros were allocated for outsourcing the translation of approximately 22 documents, and 6.914 Euros was allocated to outsourcing the provision of simultaneous interpretation services for several Assembly plenary sessions, meetings of committees and others¹¹⁹.

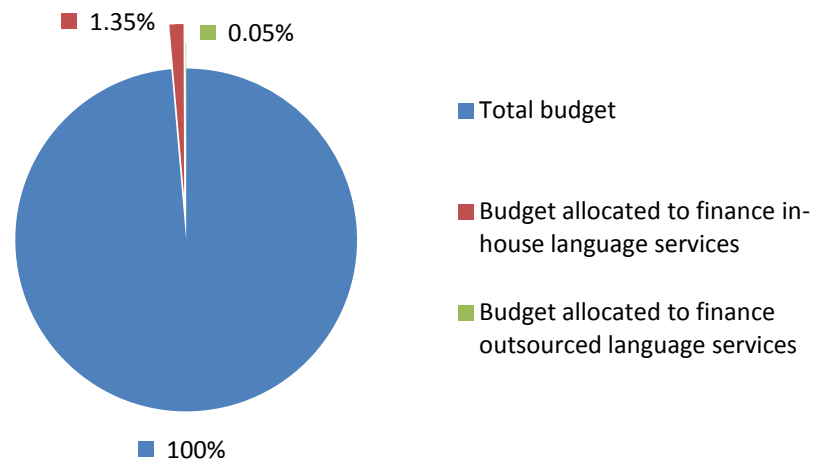
It is recommended to assess the cost-efficiency of outsourcing language services vis-à-vis increasing in-house capacities, as well as the issue of quality assurance, in view of concerns expressed on the quality of outsourced services¹²⁰.

¹¹⁸ Information provided through questionnaire by the Head of the Directorate of Finances of the Assembly of Kosovo.

¹¹⁹ *Ibid.*

¹²⁰ See Chapter 3, Section 3.2.

Figure 5. Assembly budget allocated to in-house and outsourced language services provided to the Assembly of Kosovo (2013)



3.5 Responsiveness to Requests¹²¹

This set of indicators (indicators 20-23) aims to measure whether the need for interpreting support among members of the Assembly whose mother tongue is Turkish, Bosnian or Romani is properly addressed, in line with the law (Articles 5.1 and 5.2 of the *Law on the Use of Languages*). As provided under indicator 1, there are five (5) MPs with Bosnian, four (4) members with Turkish, and one (1) member with Romani¹²² as their mother tongue.

Requests for interpretation support in Turkish, Bosnian and Romani

Indicator 20 – Amount/Percentage of timely attended requests for interpretation support issued by members of the Assembly of Kosovo whose mother tongue is Turkish, Bosnian or Romani; disaggregated by: language combinations.

Findings – *Approximately twenty requests for interpretation in Turkish were recorded in 2013, all of which (100%) were addressed, as per information from the Directorate of Language Services.*

Indicator 21 – Number/Percentage of timely attended requests for interpretation support issued by members of the Assembly of Kosovo Committees; disaggregated by: language combinations.

Findings – *No data available for 2013.*

As per Article 5.2 of the *Law on the Use of Languages*, facilities shall be made available to ensure interpretation from and into the mother tongue of MPs which are not an official language (Turkish Bosnian and Romani), to guarantee their right to participate in the work, debates, public meeting and or other proceedings of the Assembly and its Committees on an equal basis. In order to monitor whether these legal provisions are being complied with, two corresponding indicators were developed (indicators 20-21).

¹²¹ This subsection corresponds to Section E of the indicators matrix (see Annex 1: Indicators Matrix).

¹²² Information provided through questionnaire by the Secretariat of the Assembly of Kosovo.

Although there is no official record of the exact number of requests for interpretation support for Assembly meetings disaggregated by languages (indicator 20), the Head of the Directorate of Language Services asserts that during 2013 there have been around 20 requests for Turkish interpretation and all of them (100%) were reportedly addressed on time. No requests have been filed for Romani or Bosnian language.¹²³

As regards interpretation support requests for the Assembly Committees in 2013 (indicator 21), no data is available. There is nonetheless data available for 2012: there was a total of 582 requests filed (no disaggregated figures by languages available).

Submission of documents and responses in Turkish, Bosnian and Romani

Indicator 22 – Amount/Percentage of documents submitted by members of the Assembly of Kosovo in Turkish, Bosnian or Romani, translated into Albanian and Serbian.

Findings – Information not available.

Indicator 23 – Number/Percentage of responses requested and provided in the original language used by the Member of the Assembly of Kosovo (Turkish, Bosnian or Romani).

Findings – Information not available.

Article 5.2 stipulates that documents submitted by MPs whose mother tongue is Turkish, Bosnian or Romani must be translated into official languages, and responses issues in the original language used by the MP. Indicators 22 and 23 seek to monitor compliance with these provisions of the law.

As provided by the head of the Directorate of Language Services of the Assembly of Kosovo, the Directorate has never received individual translation requests from MPs. Nevertheless, further information, also from other departments, would be required to monitor these indicators.¹²⁴

3.6 Availability and Quality of Services¹²⁵

The indicators of this section (indicators 24-34) are intended to assess whether the translation and publication of laws is taking place as established by the *Law on the Use of Languages* (Article 5.4) and the *Rules of Procedure of the Assembly of Kosovo* (Article 52.1) and, crucially, evaluate the language quality of a selected number of laws and draft laws in the official languages (Albanian and Serbian), issued by different institutions in 2013. To that end, an evaluation system was developed and applied by linguistic and legal experts. An indicator on the satisfaction of MPs with interpreting services was also developed, yet no member returned the questionnaire.

Indicators have also been developed to assess the processes related to translation of laws and amendments – whether it is possible to return draft laws submitted to the Assembly of Kosovo to the issuing institutions for language revision before they are sent forward to other Assembly bodies/units and whether and how frequently draft laws are returned to the issuing institutions for language

¹²³ Information provided through questionnaire by the Head of the Directorate of Language Services of the Assembly of Kosovo.

¹²⁴ Information provided through questionnaire by the Head of the Directorate of Language Services of the Assembly of Kosovo.

¹²⁵ This subsection corresponds to Section F of the indicators matrix, indicators 24-34 (see Annex 1: Indicators Matrix).

revision. The process is crucial to ensure that the laws adopted are of high quality in all languages; however, only limited information was provided by respondents and thus further analysis is required.

Availability of laws in official and other community languages¹²⁶

Indicator 30 - Number/Percentage of laws adopted by the Assembly of Kosovo issued and published in Albanian and Serbian.

Indicator 32 - Number/Percentage of laws promulgated by the Assembly of Kosovo published in Bosnian and Turkish.

Findings – 61 laws have been adopted and promulgated in 2013, all of which (100%) have been published in Albanian, Serbian, Bosnian and Turkish (as well as English).

According to Article 5.4 of the *Law on the Use of Languages*, all laws adopted by the Assembly of Kosovo must be issued and published in the official languages, and all laws promulgated must be published also the Bosnian and Turkish languages (indicators 30 and 32). The translation of draft laws into Serbian is made by the Translation Unit of the respective issuing institution; the translation of law amendments into Serbian is made by the Translation Unit of the Assembly of Kosovo; and the translation of promulgated laws into Bosnian and Turkish is made by the Translation Unit of the Official Gazette¹²⁷.

According to the Official Gazette of Kosovo, a total of 61 laws have been adopted and promulgated in 2013 so far, all of which have been published in the official languages (Albanian and Serbian), as well as Turkish and Bosnian. Thus, availability is in full compliance with the law.

Quality of laws in official languages

Indicator 25 – Quality of the original and translated draft laws introduced to the Assembly of Kosovo, in Albanian and Serbian; disaggregated by: language and quality level.

Indicator 31 – Quality of the original and translated laws adopted by the Assembly of Kosovo, issued and published in Albanian and Serbian; disaggregated by: language and quality level.

Findings – Overall, the quality of the Serbian translations of the sample of five selected laws and draft laws has been consistently assessed as lower than that of the Albanian original documents. No major differences have been identified between the quality of the laws issued by different bodies.

As highlighted in this report and previous [Working Paper](#), as well as has been emphasised by the Language Commissioner and other participants of the various consultation meetings conducted throughout this pilot phase, when monitoring the implementation of language and other community rights, it is crucial not to focus merely on structural or quantitative issues, but also on qualitative ones. While indicators 30 and 32 show that there is availability of laws in all languages stipulated by the law (Article 5.4), the quality of these laws must be examined as well.

¹²⁶ In addition, an indicator (indicator 28) was developed to assess the number/percentage of amendments to the draft laws introduced by the Assembly of Kosovo, translated into Albanian or Serbian. This information was however not collected.

¹²⁷ For more information, see Annex 3: Legislative Initiative and Drafting Process, for further information on the legislative process.

Against this backdrop, this pilot phase has also included qualitative indicators (indicators 25, 29, 31, 33) aimed at assessing the quality of laws, draft laws and amendments. In order to measure these indicators, an evaluation system was developed by a linguistic expert¹²⁸. Three linguistic factors were identified to be evaluated according to a grading score from 1 to 3 (1 - 'good', 2 - 'acceptable' and 3 - 'below standard'):

- **Meaning:** This refers to the accuracy of translation or the translation of the meaning or the main message from the source language into the target language. Errors in meaning would change the meaning from the source text (original text) into the target text (translation).
- **Form:** This refers to the faithfulness to the target language, including the use of the target language sentence structure, spelling and punctuation. Errors in form would include errors in word order, spelling, punctuation, etc.; they can render the target text unintelligible.
- **Compliance:** This refers to the choice of lexis and terminology in the target text. The terminology must comply with the topic/area of translation (e.g. laws, legal documents) and be used consistently, i.e. not vary within a translated document or from one translation to the other.

The evaluation was applied to a selection of laws and draft laws in both official languages (measuring indicators 25 and 31). In addition to evaluating the Serbian translation, it was considered necessary to assess the quality of the original documents in Albanian, as problems with these may also have an impact on the translated documents, and the category of 'meaning' can only be evaluated comparatively. Since this was a pilot phase to draw general conclusions and assess the value of such exercise, the assessment was not applied to laws in the Turkish and Bosnian languages (indicator 33).

Specifically, one draft law¹²⁹ and five laws from 2013 have been evaluated by two different experts according to the evaluation system developed:

- *Draft Law on Normative Acts*¹³⁰ - Issued by OPM.
- *Law No. 04/L-138 for Vocational Education and Training*¹³¹ - Issued by MEST.
- *Law No. 03/L-039 on Protective Zones*¹³² - Issued by MTI.
- *Law No. 04/L-161 on Safety and Health at Work*¹³³ - Issued by MLSW.

¹²⁸ See the complete evaluation system attached in the Annex 2: Evaluation System of Quality of Translation and Interpretation. The system also covers interpretation; however, it was only applied to translation of laws in the official languages due to the importance of this area and technical factors. In order to assess the quality of interpreting services, a qualitative indicator on satisfaction of MPs vis-à-vis these services was developed. Nonetheless, no questionnaires could be obtained from MPs.

¹²⁹ In order to provide a complete overall assessment of the linguistic quality of the Kosovo laws, among those under review there are: one draft law, three laws issued by ministries and one law issued by the Assembly of Kosovo.

¹³⁰ Office of the Prime Minister (OPM), *Draft Law on Normative Acts*. Accessible at: <http://www.kuvendikosoves.org/common/docs/ligjet/04-L-229.pdf> (consulted on 9 December 2013).

¹³¹ Ministry of Education, Sciences and Technology (MEST), *Law No. 04/L-138 for Vocational Education and Training*, approved by the Assembly of Kosovo 28 February 2013 and promulgated by the Decree of the President of the Republic of Kosovo No. DL-06-2013, 18 March 2013. Accessible at: <http://www.kuvendikosoves.org/common/docs/ligjet/Law%20for%20vocational%20education%20and%20training.pdf> (consulted on 9 December 2013).

¹³² Ministry of Trade and Industry (MTI), *Law No. 03/L-039 on Special Protective Zones*, approved by the Assembly of Kosovo 20 February 2008 and promulgated by the Decree of the President of the Republic of Kosovo No. DL-077-2008, 15 June 2008. Accessible at: http://www.assembly-kosova.org/common/docs/ligjet/2008_03-L039_en.pdf (consulted on 9 December 2013).

¹³³ Ministry of Labour and Social Welfare (MLSW), *Law No. 04/L-161 on Safety and Health at Work*, approved by the Assembly of Kosovo 16 May 2013, and promulgated by the decree of the President of the Republic of Kosovo No. DL-26-

- *Law No. 03/L-111 on Rights and Responsibilities of the Deputy*¹³⁴ - Issued by the Assembly.

One of the key criteria when selecting the laws was to choose documents issued by different bodies, given that the language services of these bodies are responsible for translating the laws prior to their introduction to the Kosovo Assembly. Even though the sample of documents assessed in this pilot phases, it was intended to evaluate whether there are substantial discrepancies in the quality of translation by different bodies, or challenges are similar across the board.

The following table shows the evaluation of the quality of the draft law and adopted laws in the original Albanian version (average of both experts):

Table 7. Quality of assessed laws in Albanian				
Albanian Documents	MEANING	FORM	COMPLIANCE	AVERAGE
Law 1: <i>Draft Law on Normative Acts</i>	1	2	1.5	1.5
Law 2: <i>Law No. 04/L-138 for Vocational Education and Training</i>	1.5	1.5	1.5	1.5
Law 3: <i>Law No. 03/L-039 on Protected Zones</i>	1	1.5	1.5	1.3
Law 4: <i>Law No. 04/L-161 on safety and health at work</i>	1	2	1.5	1.5
Law 5: <i>Law No. 03/L-111 on Rights and Responsibilities of the Deputy</i>	1	2	1.5	1.5
AVERAGE EVALUATION	1.1	1.8	1.5	1.4
1 – Good, 2 – Acceptable, 3 – Below standard				

As can be seen, overall, the Albanian original versions of the selected laws were assessed mostly as ‘good’ by the two experts in terms of ‘meaning’ (1.1 as average). On the other hand, in terms of ‘form,’ the overall evaluation has been lower (1.8 as average), and thus closer to ‘average’ than ‘good.’ This is due to some grammar, spelling and typographical mistakes identified. The use of terminology (‘compliance’) has also been evaluated between ‘good’ and ‘average’ (1.5 as average); some of the comments related to the inadequate use of foreign words. Overall, there have been no major or substantial differences between the laws and draft laws issued by different bodies, with an average of between 1.3 and 1.5 for each of them individually.

2013, 31 May 2013. Accessible at: <http://www.kuvendikosoves.org/common/docs/ligjet/Law%20on%20Safety%20and%20Health%20at%20Work.pdf> (consulted on 9 December 2013).

¹³⁴ Assembly of the Republic of Kosovo, *Law No. 03/L-111 on Rights and Responsibilities of the Deputy*, approved by the Assembly of Kosovo 4 June 2010 and promulgated by the Decree of the President of the Republic of Kosovo No, DL- 029-2010, 5 July 2010. Accessible at: http://www.kuvendikosoves.org/common/docs/ligjet/03_L-111_english.pdf (consulted on 9 December 2013).

The following table presents the results of the evaluation of the quality of the draft law and adopted laws in the Serbian translated version (average of both experts):

Table 8. Quality of assessed laws in Serbian				
Serbian Documents	MEANING	FORM	COMPLIANCE	AVERAGE
Law 1: Draft Law on Normative Acts	2	2.5	2	2.1
Law 2: Law No. 04/L-138 for Vocational Education and Training	1.5	3	1.5	2
Law 3: Law No. 03/L-039 on Protected Zones	2	2	1.5	1.8
Law 4: Law No. 04/L-161 on Safety and Health at Work	2.5	3	2	2.5
Law 5: Law No. 03/L-111 on Rights and Responsibilities of the Deputy	2	3	1.5	2.1
AVERAGE EVALUATION	1.8	2.7	1.7	2.1
1 – Good, 2 – Acceptable, 3 – Below standard				

As the figures show, all grades in all categories are consistently lower in the Serbian translation than in the Albanian original documents. Considering that the Albanian versions were in general relatively positively evaluated, problems therefore seem to lie mainly in the process of translation (and proofreading). As can be seen, the Serbian documents have been assessed between 1.5 and 2.5 for ‘meaning’ (1.8 as average, as compared to 1.1 in the Albanian documents). Some laws are between ‘acceptable’ and ‘below standard’ with a 2.5. As was pointed out, as a consequence of a literal word-by-word and/or inaccurate translation, several articles have lost their original meaning, thus negatively impacting the overall signification of the law.

The category of ‘form’ – related to the faithfulness to the target language in terms of grammar, sentence structure, etc. – has been the most poorly evaluated for all the laws and draft laws assessed, with an average of 2.7 (as compared to 1.8 in the Albanian documents), with three out of the five documents evaluated as ‘below standard’, and none of the remaining rated as ‘good.’ This is due to multiple mistakes in grammar, syntax, sentence structure and spelling (e.g. inadequate use of capital letters) in a great number of articles in all the laws assessed.

In terms of ‘compliance,’ the Serbian documents have been assessed with an average of 1.7 (as compared to 1.5 in the Albanian documents). Even though most laws are assessed around ‘average,’ the experts repeatedly pointed out an inaccurate and inconsistent use of legal terminology or other terms within the same document, reflecting a lack of legal background and general poor translation quality¹³⁵.

Overall, the differences in rating of the quality of the Serbian translation of the laws and draft laws issued by different bodies were slightly more significant than in the case of the Albanian documents: the poorest grade was 2.5 (*Law No. 04/L-161 on Safety and Health at Work*), which is almost one point

¹³⁵ This aspect was also highlighted by the Head of the Directorate of Language Services of the Assembly of Kosovo at the technical meeting organised by ECMI Kosovo and the Office of the Language Commissioner, 13 November 2013.

lower than the law with the best score (*Law No. 03/L-039 on Protected Zones*, with 1.8 as average). However, it must be noted that all laws were consistently rated poorly in terms of ‘form’.

These findings on the quality of the Serbian translation of laws, despite being based on a small sample of laws, are concerning.¹³⁶ According to the Constitution of the Republic of Kosovo (Article 5.1) and the *Law on the Use of Languages* (Article 5.4), Albanian and Serbian are the official languages and enjoy an equal status. Even though the official language versions are *de jure* equally authoritative, discrepancies between them persistent, with real consequences; this can lead to legal uncertainty, jeopardise the coherent rights of communities, and negatively affect individuals’ subjected to a particular legal act¹³⁷.

Certainly, there is a pressing need to address this issue, which seems to be the result of many issues revealed through the other sections of this report, including: the limited total number of professionals providing translation and proofreading services within the Kosovo Assembly, the absence of Serbian native speakers within the Translation Unit, the high workload of language professionals and tight timeframes available for translation, proofreading and standardisation services, and the lack of adequate and fully functional tools to assist the work of professionals. It is also important to assess the need for further ‘quality assurance mechanisms’ in the process prior to the adoption of laws that are of poor quality in the Serbian language; this issue is addressed through the indicators below.

The absence of a university degree in translation studies jointly for Albanian and Serbian languages, or the lack of opportunities to learn both languages during primary or secondary education are also crucial factors to take into account. Indeed, many of the challenges listed are not unique to the work of the Assembly but are likely to be faced by government institutions across the board.

Process and mechanisms for language quality assurance

Indicator 26 – Procedure at the Assembly of Kosovo to return draft laws to the issuing institutions for language revision.

Findings – During the first reading of a law at the Assembly of Kosovo, the MPs can evaluate the legal and/or linguistic quality of a draft law and vote to decide whether it should be sent back to the issuing institution for legal and/or linguistic improvement.

Indicator 27 – Number/Percentage of draft laws returned to the issuing institution for language revision.

Findings – N/A

As aforementioned, the mechanisms and procedures in place to ensure the quality of the language of laws in all applicable languages prior to their final adoption and entering into force are crucial. As a result, indicators were developed and questions included in the corresponding questionnaire to gain a better insight into these processes. The following are the findings of the data collection conducted:

One of the procedures identified involves the Directorate for Language Standardisation: Before a final draft law approved by the government is submitted to the Assembly, it is sent to the Directorate for

¹³⁶ OSCE Mission in Kosovo, ‘*Multilingual Legislation in Kosovo and its Challenges*’, February 2012, available at: <http://www.osce.org/kosovo/87704> (consulted on 12 December 2013).

¹³⁷ *Ibid.*

Language Standardisation of the Assembly of Kosovo, which has 10 working days to review it and produce a preliminary report outlining any potential language and other mistakes identified¹³⁸. This preliminary report is sent to the relevant Committees along with the draft law. If the relevant Committee approves the proposed changes and observations, these must be introduced by the Directorate for Language Standardisation, before the adoption and entry into force of the law. The Directorate has 10 consecutive days available for this procedure, as well as to review and introduce any translated amendments into the final law¹³⁹. Although the described procedure seems to be comprehensive, the number of professionals providing standardisation services to the Assembly of Kosovo¹⁴⁰ and the timeframes available are very limited¹⁴¹.

Furthermore, indicator 26 sought to assess whether it is possible to return draft laws submitted to the Assembly of Kosovo to the issuing institutions for language revision, before they are sent forward to other Assembly bodies/units. The answer was as follows¹⁴²: during the first reading of a law at the Assembly of Kosovo¹⁴³, the MPs can evaluate the legal and/or linguistic quality of a draft law and vote to decide whether it should be sent back to the issuing institution for legal and/or linguistic improvement¹⁴⁴.

To evaluate whether this mechanism is not only in place, but also effectively used in practice, indicator 27 attempted to measure the number/percentage of draft laws returned to the issuing institution for language revision. The only information obtained in this regard was provided during the technical meeting organised by ECMI Kosovo and OLC, where it was stated that this procedure has been rarely used¹⁴⁵. This, however, is at odds with the findings on the quality of the Serbian translation of draft laws. As has been learned, this also seems to be the result of the existing pressure to adopt a high number of laws swiftly, partly as a result of the European Union accession process or political pressure.

In the light of the above, it seems necessary to pay further attention to these processes and find adequate solutions to ensure a final quality assurance of the laws promulgated in all applicable languages. This is a pressing issue in view of the persisting problems of quality, as demonstrated by the evaluation of Serbian laws¹⁴⁶, and the negative impact of poor quality and discrepancies between different languages versions on the rule of law and community rights.

¹³⁸ Information provided by the Head of the Directorate for Standardisation of the Assembly of Kosovo, when interviewed by ECMI Kosovo, 17 January 2014.

¹³⁹ For further information see Annex 3: Legislative Initiative and Drafting Process.

¹⁴⁰ As provided through questionnaires by the Head of the Directorate for Language Standardisation of the Assembly of Kosovo, there are four (4) professionals providing in-house standardisation services. For further information, see Chapter 3, Section 3.2.

¹⁴¹ Information provided by the Head of the Directorate for the Standardisation and Harmonisation of Laws of the Assembly of Kosovo at the technical meeting organised by ECMI Kosovo and the Office of the Language Commissioner, 13 November 2013.

¹⁴² Information provided through questionnaire by the Head of the Directorate of Languages Services of the Assembly of Kosovo.

¹⁴³ For further information see Annex 3: Legislative Initiative and Drafting Process.

¹⁴⁴ For further information see Annex 3: Legislative Initiative and Drafting Process.

¹⁴⁵ Information provided by the representative of the language professionals of the Assembly of Kosovo at the technical meeting organised by ECMI Kosovo and the Office of the Language Commissioner, 13 November 2013.

¹⁴⁶ See Chapter 3.6.

Quality of interpreting services

Indicator 34 – Quality of the interpreting services in the Assembly of Kosovo and its committees.

Findings – *Information is not available, as questionnaire were not obtained from the targeted Members of the Assembly.*

Finally, a qualitative indicator (indicator 34) on satisfaction by MPs vis-à-vis interpreting services within the Assembly was also developed, as a way to measure the effective enjoyment of language rights by right-holders. Members targeted included Members of the Committee on the Rights and Interests of Communities and Returns (CRICR). Nonetheless, information could not be obtained despite repeated efforts.

4. CONCLUSIONS

The focus of this assessment has been on the **use of languages and compliance with the *Law on the Use of Languages within the work of the Assembly of Kosovo***. Indicators and corresponding questionnaires have been developed, and complemented with meetings and interviews, to provide a comprehensive overview of the situation in this field, and identify challenges and potential recommendations to address them. It should be stressed that this assessment has been conducted in the framework of a pilot phase to test the feasibility and value of the use of indicators for community rights monitoring and evaluation (M&E); as such, lessons learned about this process will be extracted and the assessment complemented with further analysis and research. The following provides the preliminary conclusions of this pilot phase.

One of the key findings is that the **human capacities of the in-house language services** at the Assembly of Kosovo seem to be insufficient vis-à-vis the high workload and amount of requests¹⁴⁷. The number of professionals providing translation and interpretation – a total of 11 – is limited (particularly for some language combinations), and the timeframe available for the translation and review of laws and amendments is insufficient, regardless of the workload. As a result, the number of pages that need to be translated per professional per day seems to be very high – 13 pages per day, roughly double that of international good practices¹⁴⁸, particularly in view of the fact that they are mostly dealing with complex legal texts that will become legally-binding upon their adoption. The same applies to the Directorate of Language Standardisation, which is responsible to carry on crucial revision processes with a total of four (4) professionals and very limited available timeframes. In this context, it should also be pointed out that, even though translation and interpretation require different sets of skills, there is no clear division between these roles¹⁴⁹. This fact may also lead to fragmented work, as professionals may need to deal with different types of requests per day.

In terms of the **profile and qualifications of professionals** providing in-house language services, it should be noted that, even though recruitment policies at the Kosovo Assembly are based on key criteria, namely academic background and working experience, difficulties have been reported in hiring qualified professionals.

A further important finding in this area is that, despite the fact that Serbian is one of the official languages in Kosovo, there is **no Serbian native speaker** providing translation or interpretation services for the Assembly of Kosovo;¹⁵⁰ most of the professionals (9¹⁵¹ out of 11) have Albanian as their native language. Even though all professionals have Serbian as a first foreign language, this factor may certainly lead to lower quality in the Serbian translations. There are two (2) Serbian native speakers providing proofreading services; yet this does not seem to be sufficient in light of the current needs.

Around half of the professionals (6 out of 11) working for the Translation Unit reported to have a **university degree** in languages; this is, however, focused on the Albanian language only. There is currently no university degree in translation studies and/or languages jointly for Albanian and Serbian

¹⁴⁷ The Translation Unit of the Kosovo Assembly also covers the needs of the Office of the President and the Office of the Prime Minister.

¹⁴⁸ See Chapter 3, Section 3.3.

¹⁴⁹ Indicators 4, 12-17.

¹⁵⁰ There is no information available on the mother tongue of professionals working under the Proofreading Unit; however, their working languages are Serbian and Albanian.

¹⁵¹ One is bilingual in Albanian and Croatian.

languages available in Kosovo, or the possibility to learn both languages during primary or secondary education notwithstanding the great need for highly qualified professionals proficient in both languages that arises from Kosovo's multi-lingual system. It is also important to highlight that only one of the language professionals has a legal background, despite the importance of having a substantial knowledge in this field when translating legal texts.

On a positive note, the majority of professionals have claimed to have several years of **working experience** (19 years as average) in the field of translation and interpretation. A series of **training programmes** to increase the knowledge and skills of professionals was provided in 2013, including in the field of consecutive and simultaneous translation. However, no training on legal issues has been offered, which would be worth considering, particularly in view of the fact that most professionals do not have a legal background.

According to the data collected, only a limited number of **computer-assisted translation tools** are available to professionals providing languages services to the Kosovo Assembly, and some are not functional due to technical reasons. This should be taken into consideration due to the wide range of tools available in the market that could assist translators in their work, contributing to higher levels of quality, consistency in the use of terminology, and efficiency.

A further finding of this pilot phase is that further efforts should be made to ensure that there are adequate **mechanisms and procedures in place for quality assurance of laws in all languages** prior to their promulgation. As demonstrated by a **language quality assessment** of a sample of draft and adopted laws, the Serbian translations were consistently rated lower than the original Albanian versions. The grades for the categories identified ('meaning', 'form' and 'compliance')¹⁵² were mostly assessed as 'good' (grade 1) or 'acceptable' (grade 2) for the Albanian original laws, while the Serbian documents were often rated as just 'acceptable' (grade 2) or 'below standard' (grade 3). Numerous mistakes and problems were identified in the Serbian documents in terms of grammar (e.g. sentence structure), spelling (e.g. use of capital letters), and use of terminology. Sometimes Serbian translations were considered too literal and there were omissions; as a result of these problems, often the meaning was lost and the Serbian document was not fully comprehensible to the reader. No major differences were identified in the use of language in laws issued by different bodies.

The findings on the quality of the Serbian translation of laws, despite being based on a small sample of laws, are concerning. Considering that the official language versions (Albanian and Serbian) are equally authoritative, the persistent problems in quality and discrepancies between them can lead to legal uncertainty and negatively impact community rights and the rule of law. Along with lacking opportunities for academic training of translators and interpreters, and to learn both official languages, the issue of quality seems to be a result of the aforementioned issues, including limited human, financial and technical resources, tight timeframes, the absence of Serbian native speakers, and inadequate mechanisms for quality assurance prior to the promulgation of laws.

Finally, although further analysis on the implementation of this pilot phase on the use of indicators for community rights monitoring and evaluation (M&E) will be conducted, and some additional information is needed, it seems appropriate to state that this has been an extremely useful and relevant exercise that has provided a comprehensive overview of the area analysed and helped to identify concrete challenges and recommendations to overcome them. As a result, the continued and

¹⁵² See Annex 2: Evaluation System of Quality of Translation and Interpretation.

expanded use of indicators for monitoring language and other community rights implementation by the Assembly and other institutions is recommended, with a view to increasing community rights enjoyment in Kosovo.

5. RECOMMENDATIONS

Based on the findings of this assessment, ECMI Kosovo and the Office of the Language Commissioner make the following recommendations:

- Carefully assess the need to increase the number of professionals providing language services to the Kosovo Assembly, in view of the high workload and number of requests, and the persistent poor quality of translation; and establish adequate timeframes for the delivery of work.
- Create incentives to facilitate the recruitment of highly qualified language professionals, including adequate compensation, and ensure that Serbian native speakers are recruited.
- Increase the budget allocated to the provision of language services within the Assembly of Kosovo, and assess the cost-efficiency of outsourcing language services.
- Evaluate the Assembly's internal processes of translation, proofreading and standardisation of language of laws and amendments, and establish a unit or mechanism for final language quality assurance prior to the promulgation of laws in all applicable languages (with an adequate mandate and capacities), in order to address the poor quality and discrepancies between different languages versions, which negatively impact the rule of law and community rights.
- Ensure to the extent possible that translation and interpretation are divided and streamlined, considering the different set of skills required for these different roles, and that translators work primarily into their mother tongue.
- In consultation with professionals, develop and supply adequate and fully functional tools and equipment that can contribute to the provision of high-quality translation, proofreading and language standardisation services, including glossaries and computer-assisted translation tools, and provide training on their use.
- Conduct a thorough needs assessment and offer tailor-made capacity-building in relevant areas, including translation and interpreting skills, legal issues and legal translation.
- Work towards establishing a system for the certification of translators and interpreters.
- Support the establishment of a Translation and Interpretation Department within the Faculty of Philology in the University of Prishtina covering both official languages (Albanian and Serbian), as well as a Slavistics Department.
- Continue collecting data disaggregated by languages, including requests for interpretation and translation of documents.
- Consider systematically and comprehensively using indicators as a tool for monitoring and evaluation (M&E) of the implementation of language and other community rights by the Assembly of Kosovo and other institutions, drawing on the findings and lessons learned through this pilot phase.

ANNEXES

Annex 1. Indicators Matrix

Monitoring & Evaluation of Compliance with the *Law on the Use of Languages* within the work of the Assembly of Kosovo (Article 5)

Timeframe: All indicators will refer to the period between January and November 2013

Indicator	Definition	Disaggregation	Rationale	Sources of Verification	Category
A. General					
1. Language representation in the Assembly of Kosovo (Article 5.1)	Percentage of each of the languages represented in the Assembly of Kosovo, according to the mother tongue of the Assembly members.	Disaggregated by: • Language.	This indicator can help to assess the need for language services in the Assembly of Kosovo (particularly for interpreting services), by providing an overview of languages representation at the Assembly of Kosovo.	- Interviews at the Assembly of Kosovo (Secretariat) <u>FORMULA:</u> - Number of members of the Assembly of Kosovo (T); - Number of members of the Assembly per language, according to their mother tongue (A, B, C, D, E); - Calculate percentage for each group: - $(A, B, C, D, E) / T * 100 = X\%$	- <i>Quantitative</i> - <i>Process</i>
B. Mechanisms and facilities / Human resources and capacities					
2. Unit for language services at the Assembly of Kosovo (Article 5.1, 5.3)	Existence of a unit at the Assembly of Kosovo responsible for providing language services (interpreting, translation and proofreading services) to the Assembly of Kosovo and its Committees, in the official languages and other community languages used in the work of the	N/A	As a structural indicator, this is an important prerequisite for the provisions of Article 5 to be implemented effectively, yet it only provides information on the structures in place and must be read in conjunction with other quantitative and qualitative indicators.	- Organigramme and interviews at the Assembly of Kosovo (Secretariat).	- <i>Qualitative</i> - <i>Structural</i>

	Assembly.				
3. Unit for language standardisation at the Assembly of Kosovo (Article 5.1, 5.3)	Existence of a unit at the Assembly of Kosovo responsible for language standardisation, to support and harmonise the interpreting, translation and proofreading services of the Assembly of Kosovo.	N/A	As a structural indicator, this is an important prerequisite for the provisions of Article 5 to be implemented effectively, yet it only provides information on the structures in place and must be read in conjunction with other quantitative and qualitative indicators.	- Organigramme and interviews at the Assembly of Kosovo (Secretariat)	- <i>Qualitative</i> - <i>Structural</i>
4. Number of professionals providing in-house language services at Assembly of Kosovo (Article 5.1, 5.3)	Number of professionals providing in-house language services (interpreting, translation, proofreading) to the Assembly of Kosovo and its Committees.	Disaggregated by: - Professional role: Interpreter, translator, proofreader; - Mother tongue; - Language combinations.	This indicator aims to evaluate the capacities of in-house language services at the Assembly of Kosovo, by assessing the number of professionals providing language services, and their mother tongue and working language combinations.	- Interviews at the Assembly of Kosovo (Human Resources Department)	- <i>Quantitative</i> - <i>Structural</i>
5. Level of knowledge of the first and second foreign language ¹⁵³ of professionals providing in-house language services at Assembly of Kosovo	Level of knowledge of the first (B) and second foreign language (C) of professionals providing in-house language services (interpreting, translating, proofreading) to the Assembly of Kosovo and its Committees.	Disaggregated by: - Professional role: Interpreter, translator, proofreader; - Language.	This indicator aims to contribute to evaluating the capacities and quality of in-house language services at the Assembly of Kosovo, by assessing the language knowledge of in-house professionals; it must be read in conjunction with other quantitative and qualitative indicators.	- Interviews at the Assembly of Kosovo (Human Resources Department and Unit for Language Services); - Survey among professionals providing language services.	- <i>Qualitative</i> - <i>Process</i>
6. Number/Percentage of professionals providing in-house language services at the Assembly of Kosovo, with a degree/s in the	Percentage of professionals providing in-house language services (interpreting, translation, proofreading) at the Assembly of Kosovo and its Committees, who have a degree in the field they are	Disaggregated by: Professional role: Interpreter, translator,	This indicator aims to contribute to evaluating the capacities and quality of in-house language services at the Assembly of Kosovo, by assessing the percentage of in-house professionals who have a university degree in the	- Interviews at the Assembly of Kosovo (Human Resources Department and Unit for Language Services); - Survey among professionals providing language services.	- <i>Quantitative</i> - <i>Process</i>

¹⁵³ Usually translators/interpreters have one native language (A) – or two in the case of those raised bilingually; a first foreign language (B); and a second foreign language (C). Ideally, translators/interpreters should mainly work into language A (or B) to ensure the highest possible quality in the services provided.

working area	working (e.g.BA in Translation and Interpreting; MA in Translation and Interpreting, BA in Language/Linguistics with a minor in translation)	proofreader.	field they are working in (i.e. translation and interpreting studies, or languages). Even though a university degree in the field is not fully indicative of the quality of services provided on its own, it is an important factor that needs to be considered in line with international good practices. This indicator needs to be read in conjunction with other quantitative and qualitative indicators.	<u>FORMULA</u> - Number of professionals working at the Assembly providing language services (T); - Number of professionals working at the Assembly providing language services, with a degree/s in the working area (D) - Calculate percentage $D / T * 100 = X\%$	
7. Number/Percentage of professionals working at the Assembly of Kosovo providing language services, with graduate or postgraduate studies in Law.	Percentage of professionals working at the Assembly of Kosovo providing language services (interpreting, translation, proofreading) to the Assembly of Kosovo and its Committees, with graduate or postgraduate studies in Law.	Disaggregated by: • Professional role: Interpreter, translator, proofreader.	This indicator aims to contribute to evaluating the capacities and quality of in-house language services at the Assembly of Kosovo, by assessing the percentage of in-house professionals who have a university degree in law (it is particularly important for translators and proofreaders dealing with laws and amendments, and other legal documents). Even though a university degree in the field is not fully indicative of the quality of services provided on its own, it is an important factor that must be considered in line with international good practices. This indicator needs to be read in conjunction with other quantitative and qualitative indicators.	- Interviews at the Assembly of Kosovo (Human Resources Department and Unit for Language Services); - Survey among professionals providing language services. <u>FORMULA</u> - Number of professionals working at the Assembly providing language services (T); - Number of people working at the Assembly providing language services, with graduate or postgraduate studies in Law (D); - Calculate percentage: $D / T * 100 = X\%$	- <i>Quantitative</i> - <i>Process</i>
8. Average years of work experience among the professionals providing in-house language services at the Assembly of Kosovo	Average years of relevant work experience (interpreting, translation, proofreading) of the professionals providing in-house language services to the Assembly of Kosovo and its Committees.	Disaggregated by: • Professional role: Interpreter, translator,	This indicator aims to contribute to evaluating the capacities and quality of in-house language services at the Assembly of Kosovo, by assessing the work experience of the professionals providing language services to the	- Interviews at the Assembly of Kosovo (Human Resources Department and Unit for Language Services); - Survey among professionals providing language services.	- <i>Quantitative</i> - <i>Process</i>

(Article 5.1, 5.3)		proofreader.	Assembly of Kosovo and its Committee; it must be read in conjunction with other quantitative and qualitative indicators.	<u>FORMULA</u> - Number of years of previous work experience in the field of language services of each of the professionals working in the Assembly providing language services (A, B, C, D, E...); - Number of professionals working at the Assembly providing language services (T); - Calculate average: $A+B+C+D...= X$ $X/T= AVERAGE$	
9. Training programmes for the professionals providing language services to the Assembly of Kosovo and its Committees	Provision of training programmes to strengthen the competency, performance and skills of professionals providing in-house language services (interpreting, translation, proofreading) to the Assembly of Kosovo and its Committees.	Disaggregated by: • Professional role: Interpreter, translator, proofreader. • Topic of the training: a. Capacity building and skills; b. IT facilities and other support tools¹⁵⁴; c. Legal system and understanding of the work carried out at the Assembly.	This indicator aims to assess whether professionals providing in-house language services (interpreting, translation, proofreading) to the Assembly of Kosovo and its Committee are offered adequate opportunities to increase the knowledge and skills required to provide high-quality results. Considering the absence of a university degree in translation and interpreting in the official languages in Kosovo and the general problems with quality, this is particularly relevant for the Kosovo context.	- Interviews at the Assembly (Unit for Language Services); - Survey among professionals providing language services.	- <i>Qualitative</i> - <i>Process</i>

¹⁵⁴ Example: online dictionaries and translation software such as Wordfast, Trados, Déjà vu and Star.

10. Computer-assisted translation tools and other specialised tools to assist the work of the translators and proofreaders of the Assembly	Availability of computer-assisted translation tools and other specialised tools to assist the work of professionals providing in-house translation and proofreading of official documents, official records, laws and other proceedings of the Assembly of Kosovo and its Committees.	Disaggregated by: • Computer-assisted translation tools and other specialised tools, such as Wordfast, Trados, Déjà vu and Star.	This indicator aims to assess whether professionals providing in-house translation and proofreading services to the Assembly of Kosovo, have access to computer-assisted translation tools and other specialised tools that can contribute to ensuring efficiency, high quality and consistency in their work, in line with international good practices.	- Interviews at the Assembly of Kosovo (Human Resources Department and Unit for Language Services); - Survey among professionals providing language services.	- <i>Qualitative</i> - <i>Process</i>
11. Comprehensive language system for the standardisation of terms, to support and harmonise the language services of the Assembly of Kosovo	Existence of a comprehensive standardisation language system to ensure harmonization and consistency in the use of terminology in the provision of language services for the Assembly of Kosovo.	Disaggregated by: • Tools: a. Manuals; b. Online dictionaries; c. Online glossaries; d. Terminology databases; e. Repository of laws/legislation passed by the Assembly; f. Data bases of documents/speeches in original and translated form; g. Translation memories/electronic archives.	This indicator aims to assess whether professionals providing translation and proofreading services to the Assembly of Kosovo have access to tools and materials that can contribute to ensuring efficiency, high quality and consistency in their work, including online dictionaries and glossaries, in line with international good practices.	- Interviews at the Assembly of Kosovo (Human Resources Department and Unit for Language Services); - Survey among professionals providing standardisation support.	- <i>Qualitative</i> - <i>Process</i>

C. Work requirements					
12. Workload level of professionals providing in-house language services working at the Assembly of Kosovo	Workload level (high, balanced, low) of professionals providing in-house language services (interpreting, translation, proofreading) to the Assembly of Kosovo and its Committees.	Disaggregated by: Professional role: Interpreter, translator, proofreader.	This indicator aims to assess whether professionals providing in-house language services to the Assembly of Kosovo have an adequate workload to provide high quality results. This is particularly important in view of the high level of expertise, research and attention to detail required when translating and proofreading complex legal documents (which will become legally-binding upon their adoption), as well as the high degree of concentration needed to provide high-quality interpreting services. Additionally, this indicator can contribute to assessing the available capacities and level of efficiency of in-house language services.	Survey among professionals providing language services.	<i>Qualitative</i> <i>Process</i>
13. Average of consecutive working hours dedicated to interpreting, registered per day by professionals providing in-house interpreting services at the Assembly of Kosovo	Average of consecutive working hours dedicated to simultaneous interpretation services, registered by the professionals working at the Assembly of Kosovo, providing interpreting services in official languages (Albanian and Serbian) and other community languages recognised (Turkish, Romani and Bosnian), in the plenary sessions and other proceedings of the Assembly of Kosovo and its Committees.	Disaggregated by: Language combination.	This indicator aims to assess whether professionals providing in-house interpreting services to the Assembly of Kosovo have an adequate workload to provide high quality results. This is particularly important in view of the high degree of concentration needed to provide high-quality interpreting services; there are international good practices on how much time can be devoted consecutively to interpreting. Additionally, this indicator can contribute to assessing the available capacities and level of efficiency of in-house language services.	- Interviews at the Assembly of Kosovo (Human Resources Department and Unit for Language Services); - Survey among professionals providing language services. FORMULA - Number of consecutive working hours dedicated to interpreting per day, registered by the professionals working at the Assembly to provide interpreting services (A, B, C, D, E...); - Number of professionals working at the Assembly to provide interpreting services (T);	<i>Quantitative</i> <i>Process</i>

				- Calculate average $A+B+C+D+E...= X$ $X / T = AVERAGE$	
14. Average number of pages to translate and proofread per day by the professionals working at the Assembly of Kosovo providing translation and proofreading support	Average of number of pages to translate and proofread per day by the professionals working at the Assembly of Kosovo, providing their services to translate and proofread official documents, official records, laws and other proceedings of the Assembly of Kosovo and its Committees, in Albanian and Serbian.	Disaggregated by: • Language combination.	This indicator aims to assess whether professionals providing in-house translation and proofreading services to the Assembly of Kosovo have an adequate workload to provide high quality results. This is particularly important in view of the high level of expertise, research and attention to detail required when translating and proofreading complex legal documents (which will become legally-binding upon their adoption). Additionally, this indicator can contribute to assessing the available capacities and level of efficiency of in-house language services.	- Survey among professionals providing language services. <u>FORMULA</u> - Number of pages to translate per day, by the professionals working at the Assembly to provide translation and proofreading services (A, B, C, D, E...); - Number of people working at the Assembly to provide translation and proofreading services (T); - Calculate average: $A+B+C+D+E= X$ $X / T = AVERAGE$	- <i>Quantitative</i> - <i>Process</i>
15. Total number of pages translated and proofread by the professionals working at Assembly of Kosovo providing translation and proofreading support	Total number of pages translated and proofread by the professionals working at the Assembly of Kosovo, providing their services to translate and proofread official documents, official records, laws and other proceedings of the Assembly of Kosovo and its Committees, in Albanian and Serbian.	Disaggregated by: • Type of documents: official documents; official records; laws and other proceedings, etc. • Activity: Translation, proofreading.	This indicator aims to assess whether professionals providing in-house translation and proofreading services to the Assembly of Kosovo have an adequate workload to provide high quality results. This is particularly important in view of the high level of expertise, research and attention to detail required when translating and proofreading complex legal documents (which will become legally-binding upon their adoption). Additionally, this indicator can contribute to assessing the available capacities and level of efficiency of in-house language services.	- Interviews at the Assembly of Kosovo (Unit for Language Services and Unit for Standardisation).	- <i>Quantitative</i> - <i>Process</i>
16. Total number of meetings where	Total number of meetings where interpreting services were provided	Disaggregated by:	This indicator aims to assess whether professionals providing in-house	- Interviews at the Assembly of Kosovo (Unit for Language	- <i>Quantitative</i> - <i>Process</i>

interpreting services were provided by professionals providing in-house interpreting services at the Assembly of Kosovo	by the professionals working at the Assembly of Kosovo, providing interpreting services in the official languages (Albanian and Serbian) and other community languages recognised (Turkish, Romani and Bosnian).	Type of meetings: Committee meetings, plenary sessions, etc.	interpreting services to the Assembly of Kosovo have an adequate workload to provide high quality results. Additionally, this indicator can contribute to assessing the available capacities and level of efficiency of in-house language services.	Services and Unit)	
17. Time available for translation and proofreading of laws and amendments within the Assembly of Kosovo	Timeframe given to language professionals working at the Assembly of Kosovo to translate, review, harmonise and/or proofread laws and amendments.	Disaggregated by: - Units: Unit for Language Services; Unit for Standardisation. - Activity: Translation, proofreading and language harmonisation.	This indicator aims to assess whether professionals providing in-house translation and proofreading services to the Assembly of Kosovo are provided with adequate time frames to provide high quality results. This is particularly important in view of the high level of expertise, research and attention to detail required when translating and proofreading complex legal documents (which will become legally-binding upon their adoption).	- Interviews at the Assembly of Kosovo (Unit for Language Services and Unit for Standardisation).	<i>Quantitative</i> <i>Process</i>
D. Financial resources					
18. Number/Percentage of the Assembly budget allocated to in-house language services provided to the Assembly of Kosovo	Number/Percentage of the Assembly budget allocated to funding the provision of in-house language services (interpreting, translation and proofreading services) to the Assembly of Kosovo and its Committees.	Disaggregated by: Language service: Interpreting, Translation, proofreading.	This indicator aims to provide budgetary information related to language services at the Assembly of Kosovo. This is an important factor that needs to be considered in the overall evaluation of the capacities and quality of the concerned services, to be read in conjunction with other quantitative and qualitative indicators.	- Interviews at the Assembly of Kosovo (Human Resources Department, Unit for Language Services, Finance Department). <u>FORMULA</u> - Total budget of the Assembly in the past year (T); - Budget of the Assembly, allocated to finance the language services Unit the past year(D); - Calculate percentage: $D / T * 100 = X\%$	<i>Quantitative</i> <i>Process</i>
19. Number/Percentage of the Assembly budget allocated to outsourcing	Number/Percentage of the Assembly budget allocated to funding outsourced language	Disaggregated by: Language service:	This indicator aims to measure the need of the Assembly of Kosovo to outsource language services; this	- Interviews at the Assembly of Kosovo (Human Resources Department, Unit for Language	<i>Quantitative</i> <i>Process</i>

language services provided to the Assembly of Kosovo	services (interpreting, translation and proofreading services) provided to the Assembly of Kosovo and its Committees.	Interpreting, Translation, proofreading.	should be evaluated in conjunction with the funds allocated for in-house translation services.	Services, Finance Department). <u>FORMULA</u> - Total budget of the Assembly allocated to finance the language services Unit (T); - Money spent to finance outsourced language services (D); - Calculate percentage: $D / T * 100 = X\%$	
E. Responsiveness to requests					
20. Number/Percentage of timely attended requests for interpretation support issued by members of the Assembly of Kosovo whose mother tongue is Turkish, Bosnian or Romani (Article 5.1, 5.2)	Total number and percentage of timely attended requests for interpretation services issued by members of the Assembly of Kosovo whose mother tongue is Turkish, Bosnian or Romani, and need interpretation support from/into Albanian and/or Serbian.	Disaggregated by: • Language combination.	This indicator aims to measure whether the need for interpreting support among members of the Assembly whose mother tongue is Turkish, Bosnian or Romani, is properly attended, in line with the law. Findings should be evaluated in conjunction with other indicators measuring in-house capacities to provide language services in these languages.	- Interviews at the Assembly of Kosovo (Unit for Language Services). <u>FORMULA</u> - Total number of requests for interpretation assistance during the past year (T); - Number of attended requests for interpretation assistance during the past year (D); - Calculate percentage: $D/T * 100 = X\%$	- <i>Quantitative</i> - <i>Outcome</i>
21. Number/Percentage of timely attended requests for interpretation support issued by members of the Assembly of Kosovo Committees (Article 5.1, 5.2)	Total number and Percentage of timely attended requests for interpretation services issued by members of the Assembly of Kosovo Committees in official languages (Albanian and Serbian) and other community languages recognised (Turkish, Bosnian and Romani).	Disaggregated by: • Language combination.	This indicator aims to measure whether the need for interpreting support among members of the Assembly of Kosovo Committees is properly attended, in line with the law. Findings should be evaluated in conjunction with other indicators measuring in-house capacities to provide language services in these languages.	- Interviews at the Assembly of Kosovo (Unit for Language Services). <u>FORMULA</u> - Total number of requests for interpretation assistance during the past year (T); - Number of attended requests for interpretation assistance during the past year (D);	- <i>Quantitative</i> - <i>Outcome</i>

				- Calculate percentage: $D/T * 100 = X\%$	
22. Number/Percentage of documents submitted by members of the Assembly of Kosovo in Turkish, Bosnian or Romani, translated into Albanian and Serbian (to be discussed) (Article 5.2)	Total number and percentage of documents submitted by members of the Assembly of Kosovo and its Committees (e.g. agenda and minutes) whose mother tongue is Turkish, Bosnian or Romani, translated into Albanian and Serbian.	Disaggregated by: • Language combination.	This indicator aims to measure the level of need for translation assistance among members of the Assembly whose mother tongue is Turkish, Bosnian or Romani. Findings should be evaluated in conjunction with other indicators measuring in-house capacities to provide language services in these languages.	- Interviews at the Assembly of Kosovo (Unit for Language Services). <u>FORMULA</u> - Total number of the concerned documents submitted for translation, in the past year (T); - Number of the concerned documents, translated into the official languages during the past year (D); - Calculate percentage: $D/T * 100 = X\%$	- Quantitative - Outcome
23. Number/Percentage of responses requested provided in the original language used by the member of the Assembly of Kosovo (Turkish, Bosnian or Romani) (to be discussed) (Article 5.2)	Total number and percentage of responses provided in Turkish, Bosnian, Romani to members of the Assembly of Kosovo who do not speak Albanian or Serbian as their mother tongue.	Disaggregated by: • Language combination.	This indicator aims to measure whether the need for translation assistance among members of the Assembly whose mother tongue is Turkish, Bosnian or Romani, is properly attended. Findings should be evaluated in conjunction with other indicators measuring in-house capacities to provide language services in these languages.	- Interviews at the Assembly of Kosovo (Unit for Language Services). <u>FORMULA</u> - Total number of answers to the concerned documents, in the last year (T); - Number of requested responses to the concerned documents, translated into the respective member mother tongue during the last year (D); - Calculate percentage: $D/T * 100 = X\%$	- Quantitative - Outcome
F. Availability & quality of services					
24. Number/Percentage of draft laws introduced to the Assembly of Kosovo, translated into	Total number and percentage of draft laws translated into Albanian and Serbian when introduced to the Assembly of Kosovo, in both	Disaggregated by: • Language.	This indicator aims to assess whether law translation and publication is taking place as it is established by the <i>Law on the Use of Languages</i> (Art. 5.4)	- Fact-finding research through Assembly of Kosovo database/archive.	- Quantitative - Outcome

Albanian and Serbian (Article 5.4) (in conjunction with Article 52.1 of the <i>Rules of Procedure of the Assembly of Kosovo</i>)	formats, hard copy and electronically.		and the <i>Rules of Procedure of the Assembly of Kosovo</i> (Art. 52.1).	<u>FORMULA</u> - Number of draft laws introduced to the Assembly during the past year (D); - Number of draft laws introduced to the Assembly during the past year, translated into Albanian and Serbian (T); - Calculate percentage: $T / D * 100 = X\%$	
25. Quality of the original and translated draft laws introduced to the Assembly of Kosovo, in Albanian and Serbian (Article 5.4)	Level of quality (good, acceptable, below standard ¹⁵⁵) of the original and translated draft laws introduced to the Assembly of Kosovo, in Albanian and Serbian (official languages).	Disaggregated by: • Language; • Quality level; • Issuing body.	This indicator aims to evaluate the quality of the translation and proofreading services provided by the body developing and issuing the draft laws (e.g. ministries, Assembly). In addition, it is considered useful to assess the quality of the original draft laws, as problems with these may also have an impact on the translated documents.	- Design an evaluation system to grade the level of quality of a translation; - Apply it to review and evaluate the quality of the translation of the concerned documents; - Obtain the total number of the concerned documents (T); - Obtain the number of documents under each level of quality (A, B, C) and the percentage they represent under the total (T); $\{ (A, B, C) / T \} * 100 = X\%$ - Elaborate a qualitative conclusion through the analysis of the obtained data.	- <i>Qualitative</i> - <i>Process</i>
26. Procedure at the Assembly of Kosovo to return draft laws to the issuing institutions for language revision	Existence of a procedure at the Assembly of Kosovo to return draft laws to the issuing institutions (e.g. ministries) for language revision (translation, proofreading or standardisation) when quality criteria are not met.	N/A	This indicator aims to assess whether it is possible to return draft laws submitted to the Assembly of Kosovo to the issuing institutions (e.g. ministries) for language revision, before they are sent forward to other Assembly bodies/units.	- Interviews at the Assembly of Kosovo (Secretariat).	- <i>Quality</i> - <i>Process</i>

¹⁵⁵System developed by ECMI Kosovo linguist expert.

27. Number/Percentage of draft laws returned to the issuing institutions for language revision	Number/Percentage of introduced draft laws returned to the issuing institutions for language revision (translation, proofreading or standardisation).	N/A	This indicator aims to assess whether and how frequently draft laws are returned to the issuing institutions (e.g. ministries) for language revision.	- Interviews at the Assembly of Kosovo (Secretariat).	- <i>Quantity</i> - <i>Process</i>
28. Number/Percentage of amendments to the draft laws, introduced by the Assembly of Kosovo, translated into Albanian or Serbian (Article 5.4) (in conjunction with Article 52.1 of the <i>Rules of Procedure of the Assembly of Kosovo</i>)	Total number and percentage of amendments to the draft laws, introduced by the Assembly of Kosovo, translated into Albanian or Serbian, in both formats, hard copy and electronically ¹⁵⁶ .	Disaggregated by: • Language.	This indicator aims to assess whether law translation and publication is taking place as it is established by the <i>Law on the Use of Languages</i> (Art. 5.4) and the <i>Rules of Procedure of the Assembly of Kosovo</i> (Art. 52.1).	- Fact-finding research through Assembly of Kosovo database/archive. <u>FORMULA</u> - Number of amendments produced during the past year (D); - Number of amendments produced during the past year, translated into Albanian or Serbian (T); - Calculate percentage: $T / D * 100 = X\%$	- <i>Quantitative</i> - <i>Outcome</i>
29. Quality of the original and translated amendments to the draft laws introduced by the Assembly of Kosovo, in Albanian and Serbian (Article 5.4)	Level of quality (Good, acceptable, below standard ¹⁵⁷) of the original and translated amendments to the draft laws introduced by the Assembly of Kosovo, in Albanian and Serbian.	Disaggregated by: • Language; • Quality level.	This indicator aims to evaluate the quality of the translation and proofreading services provided by the Assembly of Kosovo. In addition, it is considered useful to assess the quality of the original draft laws, as problems with these documents may also have an impact on the translated documents.	- Design an evaluation system to grade the level of quality of a translation; - Apply it to review and evaluate the quality of the translation of the concerned documents; - Obtain the total number of the concerned documents (T); - Obtain the number of documents under each level of quality (A, B, C) and the percentage they represent under the total (T); $\{ (A, B, C) / T \} * 100 = X\%$	- <i>Qualitative</i> - <i>Process</i>

¹⁵⁶ As indicated within the Rules of Procedure of the Assembly of Kosovo, a draft law should be introduced to the Assembly in written and, preferably, electronic form (Rules of Procedure of the Assembly of Kosovo, Art. 52.1).

¹⁵⁷ System developed by ECMI Kosovo linguist expert.

				- Elaborate a qualitative conclusion through the analysis of the obtained data.	
30. Number/Percentage of laws adopted by the Assembly of Kosovo issued and published in Albanian and Serbian (Article 5.4)	Total number and percentage of adopted laws translated into Albanian and Serbian, when introduced to the Assembly of Kosovo, in both formats, hard copy and electronically	Disaggregated by: • Language.	This indicator aims to assess whether law translation and publication is taking place as it is established by the <i>Law on the Use of Languages</i> (Art. 5.4) and the <i>Rules of Procedure of the Assembly of Kosovo</i> (Art. 52.1).	- Fact-finding research through Assembly of Kosovo database/archive. <u>FORMULA</u> - Number of laws adopted during the past year (D); - Number of laws adopted in the past year, translated into Albanian and Serbian (T); - Calculate percentage: $T / D * 100 = X\%$	- <i>Quantitative</i> - <i>Outcome</i>
31. Quality of the original and translated laws adopted by the Assembly of Kosovo, issued and published in Albanian and Serbian (Article 5.4)	Level of quality (good, acceptable, below standard ¹⁵⁸) of the original and translated laws adopted by the Assembly of Kosovo, issued and published in Albanian and Serbian.	Disaggregated by: • Language; • Quality level.	This indicator aims to evaluate the quality of the translation and proofreading services provided by the Assembly of Kosovo. In addition, it is considered useful to assess the quality of the original draft laws, as problems with these may also have an impact on the translated documents.	- Design an evaluation system to grade the level of quality of a translation; - Apply it to review and evaluate the quality of the translation of the concerned documents; - Obtain the total number of the concerned documents (T); - Obtain the number of documents under each level of quality (A, B, C) and the percentage they represent under the total (T); $\{ (A, B, C) / T \} * 100 = X\%$ - Elaborate a qualitative conclusion through the analysis of the obtained data.	- <i>Qualitative</i> - <i>Process</i>
32. Number/Percentage of laws promulgated by the Assembly of Kosovo	Total number and percentage of promulgated laws translated in Bosnian and Turkish when	Disaggregated by: • Language.	This indicator aims to assess whether law translation and publication is taking place as it is established by the	- Fact-finding research through Assembly of Kosovo database/archive.	- <i>Quantitative</i> - <i>Outcome</i>

¹⁵⁸System developed by ECMI Kosovo linguist expert.

published in Bosnian and Turkish (Article 5.4)	introduced to the Assembly of Kosovo, in both formats, hard copy and electronically.		<i>Law on the Use of Languages</i> (Art. 5.4) and the <i>Rules of Procedure of the Assembly of Kosovo</i> (Art. 52.1).	<u>FORMULA</u> - Number of laws promulgated during the past year (D); - Number of laws promulgated in the past year, translated in Bosnian and Turkish (T); - Calculate percentage: $T / D * 100 = X\%$	
33. Quality of the translated laws promulgated by the Assembly of Kosovo, published in Bosnian and Turkish (Article 5.4)	Level of quality (good, acceptable, below standard ¹⁵⁹) of the translated laws promulgated by the Assembly of Kosovo, published in the Bosnian and Turkish.	Disaggregated by: • Language; • Quality level.	This indicator aims to evaluate the quality of the translation and proofreading services provided by the Assembly of Kosovo.	- Design an evaluation system to grade the level of quality of a translation; - Apply it to review and evaluate the quality of the translation of the concerned documents; - Obtain the total number of the concerned documents (T); - Obtain the number of documents under each level of quality (A, B, C) and the percentage they represent under the total (T); $\{ (A, B, C) / T \} * 100 = X\%$ - Elaborate a qualitative conclusion through the analysis of the obtained data.	- <i>Qualitative</i> - <i>Process</i>

¹⁵⁹System developed by linguistic expert hired by ECMI Kosovo.

34. Quality of the interpreting services in the Assembly of Kosovo and its Committees (Article 5.1)	Level of quality (good, acceptable, below standard) of the provided interpreting services in official languages (Albanian and Serbian) and other community languages recognised (Turkish, Bosnian and Romani), in the plenary sessions and other proceedings of the Assembly of Kosovo and its Committees.	Disaggregated by: • Language combination; • Assembly of Kosovo and Assembly of Kosovo Committees.	This indicator aims to assess the quality of interpreting services of the Assembly of Kosovo and its Committees, as evaluated by the final users (Assembly members).	- Opinion survey among members of the Assembly.	- <i>Qualitative</i> - <i>Process</i>
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Annex 2. Evaluation System of Quality of Translation and Interpretation

Introduction

The grading systems developed below are for the purpose of a qualitative assessment of translation and interpretation products from a linguistic aspect. There are three linguistic factors that are to be evaluated (meaning, form and compliance), and for each of these there are three evaluation points on the grading scale: 'good', 'acceptable' and 'below standard'. The minimum requirement for each factor (meaning, form, compliance) is 'acceptable'.

- A successful translation/interpretation would be categorized as 'good'.
- An 'acceptable' translation/interpretation would require revisions.
- A translation/interpretation categorized as 'below standard' would be below quality standards.

Key terms

- 1 Source language: The language of the original text/speech or the language from which translation/interpretation is carried out
- 2 Target language: The language of the translated text/interpreted speech or the language into which translation/interpretation is carried out
- 3 Source text: The text in the source language or the original text
- 4 Target text: The text in the target language or the translated text
- 5 Source speech: The speech in the source language or the original speech
- 6 Target speech: The speech in the target language or the interpreted speech

Quality of translation – Evaluation system

- Translation of **meaning** refers to the accuracy of translation or the translation of the meaning or the main message from the source language into the target language. Errors in meaning would be errors that change the meaning from the source text into the target text. These errors can vary from the wrong translation of a word to completely changing the meaning of sentences from the source into the target language.
- Translation of **form** refers to the faithfulness to the target language: the use of the target language sentence structure, spelling and punctuation. Errors in form would be errors in word order, spelling, punctuation, etc. Using the wrong word order and punctuation can render the target text unintelligible.
- **Compliance** refers to the choice of lexis and terminology in the target text. The terminology must comply with the topic/area of translation (E.g. Laws, legal documents) and be used consistently, i.e. not vary within a translated document or from one translation to the other.

	Good	Acceptable	Below standard
Meaning	Completely accurate translation of the meaning from the source into the target language	The meaning is the same between the source and target text as far as the main message is concerned, but some additional information (which is not key to the meaning/message) is translated incorrectly or omitted in the target text	The meaning/message changes from the source to the target text
Form	The target text is completely faithful to the target language sentence structure, spelling and punctuation	The target text does not employ the target language sentence structure, spelling and/or punctuation throughout, but this does not affect the intelligibility of the target text	The target text contains the incorrect/source language sentence structure, spelling and punctuation and this affects the intelligibility of the target text
Compliance	The target text employs legal lexis and terminology consistently	The target text employs legal lexis and terminology, but this is inconsistent (e.g. two or more terms are used to refer to the same phenomenon)	The target text does not comply with the relevant/legal lexis and terminology

Quality of interpretation – Evaluation system

- Interpretation of **meaning** refers to the accuracy of interpretation or the interpretation of the meaning/main message from the source language into the target language. Errors in meaning would be errors that change the meaning from the source speech into the target speech. These errors can vary from the wrong translation of a word to completely changing the meaning of the speech sequences from the source into the target language.
- Interpretation of **form** refers to faithfulness to the target language: the use of the target language sentence structure and intonation patterns. Errors in form would be errors in word order and intonation (i.e. sentence stress or word(s) in the sentence that are stressed or emphasized). Using the wrong word order and intonation can affect the listener's understanding of the target speech.
- **Compliance** refers to the choice of lexis and terminology in the target speech. The terminology must comply with the topic/area of interpretation (e.g. sessions/conferences related to passing a law) and be used consistently, i.e. not vary throughout the interpretation or from one interpretation session to the next.

	Good	Acceptable	Below standard
Meaning	Completely accurate interpretation of the meaning from the source into the target speech	The meaning is the same between the source and target speech as far as the main message is concerned, but some additional information (which is not key to the meaning/message) is interpreted incorrectly or omitted in the target speech	The meaning/message is different in the source and target speech
Form	The target speech is completely faithful to the target language sentence structure and mostly uses the intonation patterns of the target language.	The target speech does not employ the target language word order and intonation patterns throughout, but understanding is not affected	The target speech does not employ the target language intonation and sentence structure, and because of this, the listener has difficulty understanding the target speech
Compliance	The target speech employs legal lexis and terminology consistently	The target speech employs legal lexis and terminology, but this is inconsistent. Two or more terms are used to refer to the same phenomenon	The target speech does not comply with the relevant/legal lexis and terminology

Annex 3. The Legislative Process in Kosovo and Language Revision Mechanisms

Legislative Initiative and Drafting Process

The *Constitution* recognizes the power to propose new or amend existing legislation to:

- The President of the Republic of Kosovo;
- the Government;
- the Members of Parliament (including Committees, a Member of the Assembly supported by five members or a Parliamentary Group);
- More than ten thousand citizens, as provided by law.

At the legislative level, an Assembly member, an Assembly committee or a Parliamentary Group can propose a motion. The opinion of the Government shall be sought but it is indispensable for its presentation at the plenary session where its approval will be dedicated. The Government is responsible for drafting the law within 3 months of its approval. Once a law is drafted, it has to be translated into Serbian and English, by the issuing institution.

During the drafting at the executive level, every Ministry, as well as the OPM (Office of Prime Minister), prepares their legislative strategy together with the initial Regulatory Impact Assessment (RIA) and the initial Financial Impact Assessment (FIA) of the proposed laws. In this regard, once the Government approves the Annual Legislative Strategy, a Ministerial Working Group (MWG) is created to initiate the drafting process. Once the initial draft is finished, it is reviewed, together with the RIA and the FIA, by the following institutions in the indicated order: the Permanent Secretary, the Office for Legal Support Services (OLSS), an assigned Governmental Working Group (GWG), the Ministry of Economy and Finances (MEF) and the Agency for Coordination of Development and European Integration (ACDEI), who also reviews and produces the final FIA and the Statement of Compatibility with the EU legislation. By the end of the drafting procedure, the issuing institution is responsible for the translation of the final draft law, which is then submitted to the OLSS for procedural compliance and to the Permanent Secretary of the OPM for approval. Finally, the Government considers the final draft law and:

1. approves it;
2. approves it with amendments;
3. postpones it for later review;
4. requests a motivated review; or
5. rejects it.

Once the final draft law is approved by the government, it is sent to the Directorate for Language Standardisation of the Assembly of Kosovo for review before it is introduced to the Assembly. The Directorate for Language Standardisation of the Assembly of Kosovo has 10 working days to produce a preliminary report in which to indicate language and other mistakes contained in the body of the concerned law.

Procedure of adoption of laws by the Assembly

After the final draft law is passed by the Government, the Assembly is the responsible organ for the adoption of laws. This process consists of five stages:

- 1. Introduction of the draft Law into the Assembly:** The draft law of the primary laws are always introduced to the Members of the Assembly for further discussion. The following bodies are able to introduce such laws: a) the Government; b) a parliamentary committee; c) a member of the Assembly supported by five other members that have signed the draft law; or d) a Parliamentary Group.

At this stage, the preliminary report of the Directorate for Language Standardisation of the Assembly of Kosovo is sent to the relevant Committee. If the concerned Committees approve the proposed changes and observations, these are introduced by the Directorate for Language Standardisation before adoption and entry into force of the law. The Directorate for Language Standardisation has 10 consecutive days to finish this procedure.

- 2. The first reading:** During the first reading no amendments to the draft law can be proposed and the draft law is not examined in detail. Deputies only consider whether the scope of the draft law corresponds to a need.

During the first reading of a drafted law at the Assembly of Kosovo, the MPs can evaluate the legal and/or linguistic quality of a draft law and vote to decide whether it should be sent back to the issuing institution for legal and/or linguistic improvement.

- 3. The second reading:** It consists mainly of the consideration of and voting on proposed amendments and articles. Firstly, discussions are conducted in parliamentary committees, where an active participation of external experts and relevant organisations is possible, and afterwards in plenary sessions where members of the Assembly vote on amended articles and new amendments. Amendments, which are translated by the translation unit of the Assembly in timely fashion, can be proposed by the Lead Committee, the permanent committees, the Government, or a Parliamentary Group. If final consideration of all proposed amendments takes place in this stage and a decision is reached, the process jumps directly to the stage five.

After the second reading (if there is no third reading), all the amendments to the law are translated into Serbian by the Translation Unit of the Directorate of Language Services of the Assembly of Kosovo. Once translated, amendments are sent to the Directorate for Language Standardisation of the Assembly of Kosovo, where these are harmonised and introduced into the final law, before its adoption and entry into force.

- 4. Third reading (optional):** This step will only take place if the approval failed on the latter stage and upon request from the sponsor entity. In this context, new amendments can be proposed and new voting takes place.
- 5. Adoption and entry into force:** The adoption of a law is the final approval of the text of the law with the signature of the President of the Assembly. In practice, the act of adoption (the voting), takes place at the same plenary session as the second or third readings. Once adopted, the law enters into force 15 days after its publication in the Official Gazette of the Republic of Kosovo. Finally, the law is promulgated with the signature of the President of the Republic of Kosovo. The President has the right to reject and return the law to the Assembly. In this context, the Assembly can decide to accept the objection or promulgate the law by a majority vote of all its deputies.

Finally, once the law has been promulgated, it is translated into Turkish and Bosnian by the Translation Unit of the Official Gazette.

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