



**Organization for Security and Co-operation in Europe
High Commissioner on National Minorities**

THE IMPORTANCE OF LANGUAGE COMPLIANCE

Keynote speech

by

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to the

Forum on Language Compliance

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[Check against delivery]

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Prime Minister,

Chairperson,

Excellences,

Ladies and gentlemen,

Thank you for inviting me to serve as the keynote speaker for today's Forum on Language Compliance in Kosovo*.

I am pleased to address this forum, which brings the shared experience of representatives from bilingual and multilingual systems together to discuss the importance of promoting language rights, including in local institutions.

In doing so, it focuses on a matter at the core of my mandate. As you may be aware, my institution was established almost 25 years ago as a conflict prevention mechanism, mandated to detect possible ethnic tensions that could lead to conflict. Our experience has shown that a key component of conflict prevention is the successful integration of society and the realization of human rights, including language rights.

Language, however, can take on different purposes and roles within a society. It is a personal matter closely connected with identity, but it is also an essential tool of social organization which, in many situations, becomes a matter of public interest. In this way, it can serve as a precondition for people's access to and enjoyment of other rights. It is also necessary to facilitate effective communication between different groups and meaningful participation in civic life.

* All references to Kosovo, whether to the territory, institutions or population, in this text should be understood in full compliance with the United Nations Security Council Resolution 1244.

To address the root causes of ethnically motivated conflict, my institution has provided thematic Recommendations and Guidelines outlining, *inter alia*, the importance of language laws. These documents are intended to guide policymakers in the development of laws and policies including those related to use of language.

They are based on international and regional human rights instruments, including United Nations instruments, such as the Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities, and regional conventions, such as the Council of Europe's Framework Convention for the Protection of National Minorities.

I am pleased to note that many of these standards are contained within the comprehensive legal framework applicable here today.

The challenge confronting us today, however, is well known to many of those present – it is the realization and implementation of these rights.

I hope that this event will serve to remove some of the obstacles to implementation. I wish to emphasize that the requirements we are here to consider today, namely to provide laws, instructions and official documents, as well as institutional services, in two official languages, should not be viewed as a burden. These rights provide a unique opportunity to promote social cohesion and integration, as well as assist in preventing sources of inter-ethnic conflict.

Successive High Commissioners have recognized the importance of protecting and promoting language rights in diverse, multi-ethnic societies. Today, I will share some of my institution's accumulated experience in addressing the challenges of ensuring these rights are guaranteed for all communities.

At the outset, complying with language requirements is essential to guarantee access to public institutions.

Where laws are inaccessible, incomplete or inconsistent in an official language, communities are often unable to fully realize their rights. This can lead to marginalization and challenges in accessing police, judicial, health, media and educational services.

An inability to access services can create or reinforce a lack of trust in institutions. It can also create the perception that a system favours members of the majority community. This undermines social cohesion and fosters alienation.

In contrast, ensuring that administration, justice, police and education operate and are available in all official languages can enhance trust among non-majority communities. This access strengthens other policies and programmes intended to promote integration and ensure that the rights of all communities are guaranteed. As will be outlined today, these rights are clearly enshrined in international law, as well as in relevant laws and regulations discussed today.

I would like to illustrate this by providing an example of how access to services can be promoted through language. My office has worked with the Language Commissioner and the European Centre for Minority Issues, and with the financial support of Switzerland, Germany and Austria, to implement a language acquisition project in multi-ethnic municipalities.

Since 2012, the project has provided language courses for municipal officials to learn the official language that they do not speak. The aim is to help them serve the public and communicate with all members of society, irrelevant of their linguistic background. This is a simple measure that can go a long way in promoting mutual respect, social cohesion and trust in institutions.

But, even where municipal officials acquire the knowledge of a second official language, such progress will be undone if laws, instructions and official documents are inaccessible in the official languages. One of the concerns

addressed by this forum is significant discrepancies which continue to appear between the official Albanian and Serbian versions of legislation.

Moreover, the recent integration of Serbian-speaking judges and prosecutors, and the progress this represents, will be diminished if laws are not adequately translated and professional interpretation is not available. Ensuring accurate translation and interpretation is vital to show that all communities' rights are respected and represented. It is also a fundamental access to justice concern, an issue of considerable importance to my institution.

I encourage central and local officials, as well as international partners, to continue to support the Language Commissioner in implementing his mandate and related projects. Unified and co-ordinated efforts are critical to ensure institutions are able to provide necessary services and adhere to their obligations.

I also wish to discuss the importance of language compliance in overcoming segregation and promoting the integration of society.

My institution has found that it is essential to develop and support an integration process to prevent division along ethnic lines. Integration is a process of mutual accommodation and active engagement involving all members of society as individuals or organized groups. Embracing a multilingual society, as advocated today, provides the opportunity to better accept attitudes to other languages and cultures. It can serve as a bridge within and between communities, and allow local and central administrations to function more efficiently.

Where the enjoyment of the right to use one's own language is guaranteed, members of all communities view such acts as a sign of respect and inclusiveness. Conversely, failures to comply with language requirements can fuel resentment against local and central officials and prevent integration.

Respecting and promoting official languages is critical to meaningful integration and the building of a sustainable multi-ethnic society. It is also necessary to allow for consultative processes and interaction with public officials.

It is clear, however, that segregation remains. This is reflected in the justice system and educational institutions. Progress requires communication and the opportunity for communities to interact in their own language with public administrations. Such interaction can, in turn, provide security for citizens, protect human rights, ensure good and effective governance and overcome divisions between communities.

Failing to provide laws, instructions and official documents in the official languages will continue to impede progress and is at the core of many challenges that lie ahead.

I note in particular that, in spite of the support of key international partners, implementation of the Law on the Use of Languages remains incomplete. The Strategy for the Promotion of Language Rights has yet to be adopted, despite intense efforts on the part of the Language Commissioner.

There is no doubt that developing language skills and ensuring a multilingual administration is a long-term process requiring considerable effort and commitment. But we need to acknowledge that time has passed. Where clear obstacles can be identified, they should be overcome, and, today more than ever, we have the opportunity to address these challenges.

It is important to remember that it is not possible for one community to take on the full burden for the integration of a society. It is a duty of, and a benefit to, society as a whole. Ensuring a bilingual framework and funding implementation will cost money. It is for these reasons that the obligations outlined today must be incumbent on all parties and, in particular, on local institutions. Establishing

a truly bilingual framework will require shared responsibility and engagement of the whole society and is a matter of mutual understanding and commitment.

In this regard, there have been encouraging efforts. This includes a working group for the creation of a centralized translation cell intended to improve translation efforts and provide better support services. I encourage all partners to ensure this process is realized.

Today is an excellent opportunity to consolidate the gains that have been made and ensure greater compliance with the legislative framework regarding the use of languages. We are joined by very knowledgeable experts who can provide important insight and engage in meaningful discussions.

I would like to conclude by thanking you once again for your gracious invitation to this event. I look forward to continuing to work closely with all those gathered.