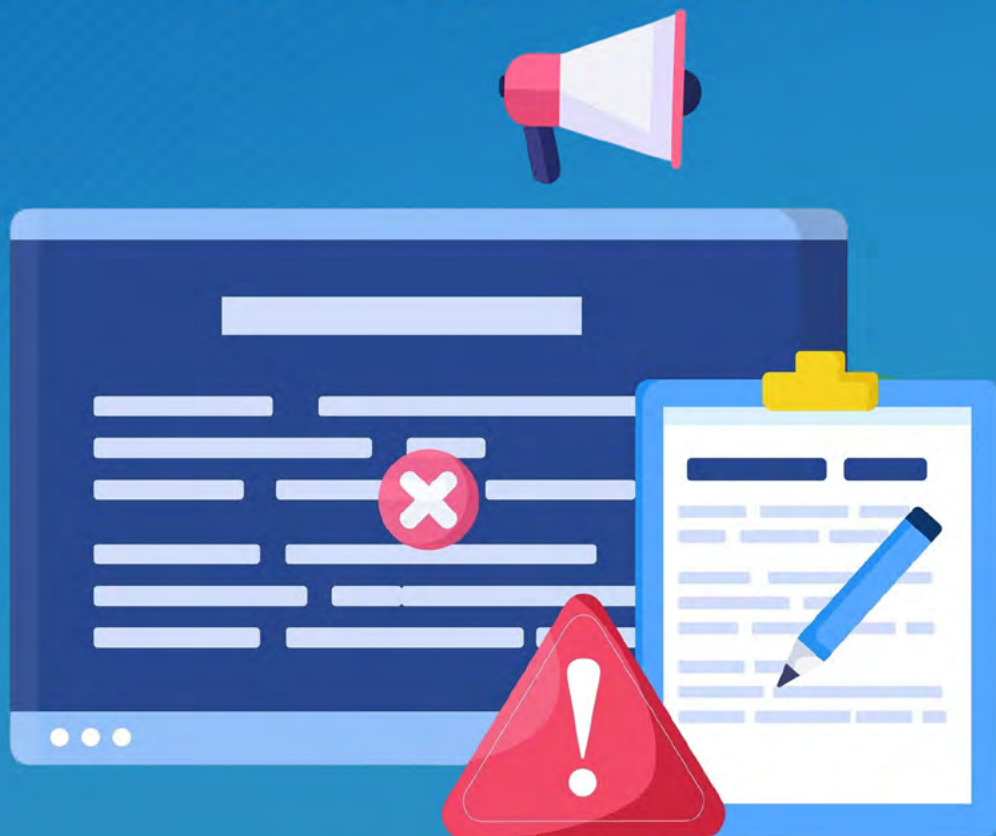


THE “FOR FERIZAJ WITHOUT UROŠEVAC” PETITION



**LEGAL AND POLITICAL IMPLICATIONS
FOR THE OFFICIAL USE OF
LANGUAGES AND THE PROTECTION
OF COMMUNITY RIGHTS IN KOSOVO**



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Introduction

The launch of the civic initiative “For Ferizaj without Uroševac”¹, which calls on the Assembly of Kosovo to abolish the official use of the Serbian name “Uroševac” and to use exclusively the name “Ferizaj” in the official communication of institutions, raises an issue that extends beyond local politics and the administrative regulation of a city’s name. The support the initiative has received from the Mayor of Ferizaj, Agim Aliu², as well as from representatives of several political entities in the municipality, further indicates that this is not an isolated civic demand, but an initiative that could have broader institutional consequences.

Although the organizers state that the petition is not directed against any community³, but rather seeks to “correct a historical injustice”, its subject directly concerns one of the fundamental elements of Kosovo’s constitutional order—the equal official use of the Albanian and Serbian languages. The issue therefore extends beyond the local political context and becomes a matter of compliance with constitutional guarantees and international obligations, as well as the protection of the rights of non-majority communities.

¹ https://www.dropbox.com/scl/fi/a7chf4ke33113opnsm7gb/Pet-icioniPernjeFerizajPaUroševac.pdf?rlkey=8iytr7m8j27rgxw29n9j870u2&st=s-0j7cbph&fbclid=IwY2xjawTK8HpleHRuA2Fl-bQlxMABicmIkETfMmRUdIb2ZZQTQzN0tv-cE9Sc3J0YwZhcHBfaWQQMjIyMDM5MT-c4ODIwMDg5MgABHsYeKZ5pmQINtsFa-VzTq3sj1fGptUfsUQblU_ehpgcBWWCBqY-77p1LilvCDs_aem_4uMSufEYT_yEgo5Ti-wsq5Q&e=1&dl=0

² <https://www.facebook.com/share/p/1bWi-JNur1K/>

³ <https://www.koha.net/arberi/ferizaj-kerkon-heqjen-e-emrit-urosevac-nga-perdorimi-zyrtar-nisin-nenshkrimet>

Legal Framework

Kosovo has one of the most comprehensive normative frameworks for protecting the rights of non-majority communities in the region. Most of these guarantees derive from the Ahtisaari Plan⁴, which was incorporated into the Constitution of Kosovo⁵ and forms the basis of the current institutional system. Article 5 of the Constitution stipulates that Albanian and Serbian are official languages and therefore have equal status before all public authorities. This means that both languages must be used in laws, secondary legislation, official documents, registers, public signage, institutional communication and other forms of official use.

In addition to the general equality of languages, the Constitution provides further protection for non-majority communities. Article 57 guarantees the protection and development of the identity of all communities living in Kosovo. Article 58 obliges Kosovo to ensure appropriate conditions enabling communities to “preserve, protect and develop” their identities, as well as to “promote a spirit of tolerance and dialogue and support reconciliation among communities”.

Article 59 is particularly relevant to the initiative in question, as it guarantees communities specific rights, including the right to preserve their national, cultural and linguistic identity; the right to freely use their language and alphabet; and the right to use local place names and street names that reflect Kosovo’s multilingual character. It follows that the official name of a city is not merely an administrative category, but part of the constitutionally guaranteed system for protecting linguistic rights.

The legal framework governing the official use of languages in Kosovo is established at the constitutional level and provides specific safeguards that prevent it from being amended through ordinary political or administrative decisions. Amendments to constitutional provisions governing community rights and the use of official languages require a two-thirds majority of all members of the Assembly of Kosovo, as well as a two-thirds majority of the members representing non-majority communities⁶.

These constitutional provisions are further elaborated in the Law on the Use of Languages⁷, which stipulates that all institutions—at both the central and local levels—must ensure the equal use of both official languages. This means that all official documents must be available in both languages, public registers must use both languages, and the names of institutions, streets, settlements and municipalities constitute part of the official use of languages.

The Law on Local Self-Government⁸ grants municipalities a broad degree of autonomy in the exercise of local responsibilities, while clearly requiring them to act in accordance with the Constitution and the laws of Kosovo. This means that municipal authorities may not adopt decisions that would alter constitu-

⁴ <https://digitallibrary.un.org/record/595359>

⁵ <https://www.kosovopolice.com/wp-content/uploads/2020/07/Ustav-Republike-Kosova.pdf>

⁶ Constitution of the Republic of Kosovo, Article 144 (Amendment), <https://www.kosovopolice.com/wp-content/uploads/2020/07/Ustav-Republike-Kosova.pdf>

⁷ <https://gzk.rks-gov.net/ActDetail.aspx>

⁸ <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2530&langid=2&utm>

tional guarantees or restrict rights arising from the official status of the Serbian language.

If the official status of one of the names could be abolished through a political initiative, this would raise the question of whether the same principle could be applied to other municipalities and settlements that have official names in Serbian. This would create scope for gradually calling into question one of the key elements of the community protection system established after 2008.

The potential acceptance of such an approach could also have broader institutional consequences. If challenges to official names based on the equal use of languages were accepted as a legitimate political practice, similar demands could extend to other aspects of the official use of Serbian, including the names of public institutions, official registers, public signage, cadastral records, identity documents and other official acts to which the constitutional requirement of bilingualism currently applies. This would create scope for gradually challenging individual aspects of the system for protecting linguistic rights, rather than ensuring their consistent implementation.

In this regard, the initiative to remove the name “Uroševac” from official use is not merely a local debate about a place name. It also raises the question of the consistent application of the principles underpinning Kosovo's entire constitutional system for the protection of communities.

Systemic Challenges in the Exercise of Language Rights

The issue raised by the initiative to abolish the official use of the name “Uroševac” cannot be viewed in isolation. It forms part of the longstanding challenges affecting the exercise of language rights in Kosovo.

Izveštaji Misije OEB Reports by the OSCE Mission⁹, the Council of Europe, the European Union, the media and civil society, including NGO Aktiv¹⁰ have for years highlighted the inconsistent implementation of legal obligations. The identified issues include the quality and timeliness of translations of official documents, the uneven application of bilingualism and other challenges affecting the exercise of language rights.

In this context, the initiative to remove the official Serbian name of a city may be viewed as part of a broader pattern in which the level of protection already achieved for language rights is not being strengthened, but is instead being called into question.

⁹ <https://omik.osce.org/mission-in-kosovo/396836>

¹⁰ <https://ngoaktiv.org/wp-content/uploads/2025/12/MONITORING-SPROVODENJA-ZAKONA-U-INSTITUCIJAMA-2025-111-1.pdf>

Institutional Responsibility and the Absence of a Response

The Office of the Language Commissioner¹¹ is responsible for monitoring the implementation of the Law on the Use of Languages, reviewing complaints submitted by individuals and legal entities, conducting investigations on the basis of complaints and on its own initiative (ex officio), issuing recommendations to the competent institutions, and taking measures to ensure the equal use of the official languages.

Its role therefore constitutes one of the key institutional mechanisms for safeguarding Kosovo's constitutional and legal system for the protection of language rights. However, the Office has been operating without an appointed Language Commissioner for a considerable period. In its 2025 Annual Report¹² the Ombudsperson Institution assessed this as a circumstance that seriously undermines institutional oversight of the implementation of legislation concerning language rights.

At the same time, the Ministry of Local Government Administration is responsible for overseeing the legality of municipal activities, including matters relating to the implementation of legislation and the protection of community rights.

The absence of a response from the competent institutions, primarily the Government of Kosovo and the relevant ministry, but also other institutional and political actors, including representatives of the Serbian List, as well as the limited or complete absence of a response from international organizations monitoring the implementation of standards in the fields of the rule of law and the protection of community rights, raises questions about the effectiveness of the existing protection mechanisms.

In circumstances in which a significant proportion of citizens already have seriously diminished trust in public institutions, such an approach makes rebuilding that trust even more difficult. It also conveys the message that the consistent implementation of constitutional and legal guarantees may depend on the political context rather than on the principles of the rule of law.

¹¹ <https://kryeministri.rks-gov.net/en/office-of-the-language-commissioner/>

¹² https://oik-rks.org/wp-content/uploads/2026/03/Annual-Report-2025_compressed.pdf

Implications for Interethnic Relations and the Normalisation Process

In addition to its legal dimension, the initiative also carries significant political implications.

Since the beginning of the EU-facilitated dialogue between Belgrade and Pristina, one of the principal objectives of the normalisation process has been to build trust between communities and create an institutional environment in which the rights of all citizens are protected equally. Therefore, any initiative that may be perceived as reducing the level of protection already afforded to communities has the potential to undermine mutual trust, further complicate political dialogue, and contribute to the selective application of the rule of law.

Population Census and the Protection of Collective Rights

Following the 2011 census, which did not cover the four municipalities in northern Kosovo because of a boycott by the majority-Serb population, international organisations, including the OSCE, used estimates in their analyses indicating that approximately 146,000 Serbs lived in Kosovo, accounting for around 7.8% of the population¹³.

A similar issue arose following the 2024 census, although the circumstances were different. Unlike in 2011, the census was formally conducted in northern Kosovo as well, but its coverage was limited due to a combination of factors. On the one hand, the Serbian List publicly called on citizens to partially boycott the census in the four northern municipalities, which affected the participation of part of the population. On the other hand, numerous citizens and local community representatives pointed to an insufficient number of census enumerators and the limited availability of census teams, claiming that some citizens who wished to participate were not given an opportunity to be enumerated during the designated period.

During the regular census process, 36,652 members of the Serbian community were registered, representing approximately 2.3% of the total population.¹⁴ However, given that only 3,080 people who identified as Serbs were directly enumerated in the four northern municipalities, the Kosovo Agency of Statistics included in the final results an estimate that 19,449 members of the Serbian community live in northern Kosovo.¹⁵

At the same time, the methodology used to produce this estimate has not been sufficiently explained to the public. It remains unclear which data sources, statistical models and criteria were used to estimate the population of the four northern municipalities, or to what extent administrative registers, previous estimates or other available sources were taken into account. This lack of methodological clarity makes it difficult to independently verify the reliability of the estimate and leaves room for differing interpretations of the final census results.

Despite this adjustment, the data concerning the size of the Serbian community remain incomplete. They do not include the large number of displaced persons, most of whom live in central Serbia. According to estimates by international organizations and institutions of the Republic of Serbia, more than 200,000 people displaced from Kosovo continue to reside in Serbia. Consequently, the available data cannot be regarded as a definitive indicator of the total size of the Serbian community connected to Kosovo. Rather, they reflect the results of the census and subsequent statistical estimates conducted under specific circumstances.

Even if the demographic data were complete and undisputed, the scope of communities' constitutional and legal rights would not depend on their numerical size. These rights constitute constitutional guarantees that apply irrespective of the percentage of a particular community within the overall population.

¹³ <https://minorityrights.org/communities/serbs-3/>

¹⁴ <https://kossev.info/srpska-lista-sr-bi-ucisce-popis-kosovo/>

¹⁵ https://askdata.rks-gov.net/pxweb/sr/ASK-data/ASKdata__Census%20population__1_

From Place Names to Community Identity

In societies characterized by ethnic and linguistic diversity, official geographical names are of considerable importance. They form part of communities' public visibility, affirm their historical presence and reflect the constitutional principle of linguistic equality. In international practice concerning the protection of minority rights, the right to use traditional place names is regarded as an integral part of protecting cultural and linguistic identity.

In this case, the principle carries additional weight, as the equal use of the Albanian and Serbian languages constitutes one of the foundations of the constitutional order established following the declaration of independence.

Bilingualism was not introduced as a temporary political compromise, but as a permanent constitutional obligation intended to contribute to building trust between communities and ensuring their equal representation in public life.

