E.MA Thesis Title:

**THE INTERPLAY BETWEEN HUMAN RIGHTS AND TRANSLATION IN MULTILINGUAL NEWBORN KOSOVO**

<table>
<thead>
<tr>
<th>STUDENT –</th>
<th>Rebecca Thérèse DARTS</th>
</tr>
</thead>
</table>
| SUPERVISORS –   | Prof. Carmen Márquez-Carrasco  
|                 | Prof. Luis Rodríguez-Piñero  
|                 | Ms Silvia Escobar         |
| UNIVERSITY –    | The University of Seville, Spain |
| ACADEMIC YEAR – | 2011 – 2012            |

*The European Master’s Degree in Human Rights and Democratisation*
Translation and Interpretation have generally been overlooked in International Human Rights Law, yet if there exists the right to use language in private and public spheres, this needs to be facilitated through provision of translation and interpretation. Conceptualising the right to translation and interpretation within the framework of linguistic human rights, translation and interpretation are instrumental in the fulfilment of a number of human rights, including rights to a fair trial, language, education, and participation. This thesis explores the human rights implicated in the provision of translation and interpretation in the specific context of Kosovo: a unique multilingual and political context in which the international community has nurtured the protection and promotion of national minorities. To analyse the interplay between translation and human rights this thesis applies the 4-A analytical framework (availability, accessibility, acceptability, adaptability), which has been developed in other fields of human rights particularly in relation to the provision of public services, including in relation to the right to education, the right to adequate housing or the right to water and sanitation. The thesis concludes that language assistance proves to have key instrumental and practical importance for safeguarding human rights and promoting tolerance in multicultural societies.
Special thanks to:

Professors Luis and Carmen for excellent supervision and endless encouragement; my family and friends for their moral support; and Anna, Astrit, Bardha, and Sercan, for Serbian, Albanian, and Turkish translations.
## CONTENTS

I – Introduction .............................................................................................................. 7  
1.1 Current Relevant Research  
1.2 Research Significance and Justification  
1.3 Study Delimitations  
1.4 Research Methodology  
II – Human Rights and Translation ...........................................................................  
2.1 Conceptualising Linguistic Human Rights  
2.2 Instrumental Language Rights: The Right to Use Language  
2.3 Human Rights Implicated in Translation and Interpretation  
2.4 Facilitating Language Rights: Positive Obligations  
2.5 Justifying Linguistic Human Rights  
2.6 The ‘4A’ Framework  
2.7 The Human Right to Translation/ Interpretation in *Latu Senu*  
III – Case Study: Translation Provision in New Born Kosovo ............................. 30  
3.1 Introducing Multilingual Kosovo ................................................................. 30  
3.2 Availability .......................................................................................................... 32  
   a) Availability of Linguistic Representation  
   b) Availability of Translators and Interpreters  
   c) Availability of Resources  
   d) Feasibility v. Political Will  
3.3 Accessibility ......................................................................................................... 36  
   a) The Procedure: Administrative Barriers  
   b) Financial Accessibility  
   c) Physical Access  
   d) Online Access  
   e) Discrimination  
3.4 Acceptability ........................................................................................................ 42  
   a) Evaluating the Quality of Translation  
   c) Respecting Language and Encouraging Participation  
   d) Timely Delivery of Translation
e) Proficiency of Translators /Interpreters

f) Quality Control: Proofreading

h) The Acceptability of Online Machine Translation

i) The Position of the Translator

j) Recognition of Importance of Translation

3.5 Adaptable

a) Adapting to Situations

b) Adapting to Language

c) Diversity of Language and Education

d)) Adapting to Individuals

3.3 The Interplay Between Human Rights and Translation/ Interpretation

IV – Conclusions........................................................................................................ 70
Bibliography................................................................................................................ 73
Annexes....................................................................................................................... 83
The interplay between human rights and translation in multilingual newborn Kosovo

Darts, Rebecca Therese