



21 February 2003

GVT/COM/INF/OP/I(2003)005

**ADVISORY COMMITTEE ON THE FRAMEWORK CONVENTION
FOR THE PROTECTION OF NATIONAL MINORITIES**

—

**COMMENTS OF THE GOVERNMENT OF THE
RUSSIAN FEDERATION ON THE OPINION OF
THE ADVISORY COMMITTEE ON THE
IMPLEMENTATION OF THE FRAMEWORK
CONVENTION FOR THE PROTECTION OF
NATIONAL MINORITIES IN THE RUSSIAN
FEDERATION**

Unofficial translation

Introduction

The Advisory Committee on the Framework Convention of the Council of Europe for the Protection of National Minorities approved the Opinion on the Russian Federation 13 September 2002. This document was drafted on the basis of information received by the Committee from Russian authorities, non-governmental organizations, independent sources and during its visit to Russia 11-15 February 2002.

Unfortunately, in spite of the respective proposal by the Russian side the Committee didn't find it possible to send its experts to regions of the Russian Federation where they could directly acquaint themselves with the situation of the national minorities and gather specific information on the activities of public authorities to provide for their rights.

The Government of the Russian Federation appreciates constructive dialogue established between Russian authorities and the Advisory Committee during its visit to Russia when the Committee's delegation put together a wide idea about practical implementation of the norms contained in the Convention. Upon examination of the report Russian authorities took into consideration observations and recommendations made by the Advisory Committee.

II. General comment

The Russian Federation is a multiethnic and multiconfessional state. Russia's ethnic and cultural policy is based upon the principle of respect for the rights and interests of all ethnic groups living in the Russian Federation.

Recent establishment of Russia as a jural federal state, building of vertical structure of executive power, practical application of the principle of equality of the constituent entities of the Russian Federation, conduct of reforms aimed at wider participation of national minorities in drafting norm-setting documents and decision-making on all issues of concern to them – all those measures create a new format of the state policy in the area of federal and ethnic relations.

The President and Government of the Russian Federation and the Advisory Council on National and Cultural Autonomies under the RF Government are focused on the problems of national minorities.

The office of the Minister of the Russian Federation on national policy established in 2001 contributed to a considerable improvement in activities of federal and regional power structures in the area of protection of national minorities' rights.

In recent years mechanisms of cooperation of federal and regional government authorities with public associations of national minorities have been consolidated considerably, their direct participation in elaboration of draft laws and programs on national and cultural advancement of peoples and national groups has widened.

Deliberative and consultative bodies on inter-ethnic relations under both the Government of the Russian Federation, administrations and governments of the constituent entities of the Russian Federation have become operational in real terms, regional inter-regional and national

conferences are held with the participation of national minorities' representatives on strategic matters of national relations, social and cultural aspects of development.

During the time elapsed since the preparation of the Russian Federation's report on implementation of the Convention in 2000 Russian authorities have taken serious additional legislative measures to protect the rights and legitimate interests of national minorities and ethnic groups residing in Russia. A number of Federal laws have been adopted: on citizenship of the Russian Federation (31 May 2002), on legal status of foreign nationals in the Russian Federation (25 July 2002), on alternative civil service (25 July 2002), Labor Code of the Russian Federation (30 December 2001), the Law on counteracting extremist activities, etc.

We regret that the Advisory Committee didn't find it appropriate to fully use the information presented in the report of the Government of the Russian Federation in 2002 and in the Additional 2002 report. This prevented us from demonstrating the full extent of the problems faced by the Russian Federation and the extent of tasks being solved at the federal and regional level.

Over 150 peoples and ethnic groups live now in the Russian Federation, more than 2000 national public associations and organizations and over 300 national and cultural autonomies at regional and local level are active.

Public education is available in 38 languages; over 80 languages of native peoples of Russia are taught as a schooling discipline, nearly 9 000 ethnic schools are in operation. Pedagogical universities and high schools train teachers for ethnic schools. In our country, radio programmes are broadcast in 56 languages, TV programmes, in 69 languages, while hundreds of newspapers and magazines are published in minority languages, and over 20 thousand religious organizations representing various confessions (Muslim, Protestant, Buddhist, Judaist, etc.) are operational. We believe that that experience, unique for the Council of Europe space, is not sufficiently reflected in the Opinion of the Consultative Committee of the Russian Federation.

The Russian Federation is among the few countries in the world whose Constitution provides for ethno-territorial autonomy for all important non-Russian entities, their major symbols of statehood and high level of self-government and federal representation.

Out of 89 equal subjects of the Russian Federation, 21 Republics, one autonomous territory and 10 autonomous areas are essentially nation-state entities enjoying the full political and administrative autonomy.

The Russian Federation considers that the Framework Convention for the Protection of National Minorities is an important international instrument in the field of national minority rights protection, and therefore takes measures to publicize the Convention among civil society institutions. In this regard, basic provisions of the Convention and measures for its implementation have been repeatedly examined at all-Russian conferences and workshops with the participation of various ethnic groups and experts from UN, CE, OSCE and other international organizations.

6. The implementation of the Framework Convention for the Protection of National Minorities is integrated in the regional policies of the subjects of the Russian Federation. The principles and purposes of the regional ethno-cultural policy and interethnic cooperation among the peoples and ethnic groups of Russia are in consonance with the provisions of the Concept of

the national ethnic policy of the Russian Federation (as approved by a Presidential Decree in 1996) which fully reflects the ideas of the Framework Convention.

Since the Concept of the national ethnic policy of the Russian Federation and the Plan of action for its implementation were adopted, the executive authorities of the subjects of the Russian Federation have reported on its implementation on an annual basis to the federal body in charge of ethnic policy. The colligated results reached by the federal authorities and the authorities of the subjects of the Russian Federation are then reported to the Russian Government. In 2002, the 2001 reports of the subjects of the Russian Federation were submitted to Minister V. Zorin. For the first time the Russian Government published all the regional reports as a special edition and sent them to the regions in order to disseminate the experience of the government authorities in the area of ethnic policies. Such publications will be issued annually.

9. Despite the continuing attempts made by Chechen guerrillas and terrorists to undermine the normalization process in the Chechen Republic major effort of the federal and local authorities is aimed at the solution of the peace-time problems.

A system of executive authorities has been put in place. The judicial branch is operational. Preparations are actively pursued for the adoption of the Chechen Constitution. On 12 December 2002, the Russian President signed a decree on the referendum on the draft Constitution and the draft laws on the election of the President and the election of members of the Parliament of the Chechen Republic to be held on 23 March 2003. The referendum will consider issues of basic principles of the Chechnen state organization such as the Parliament structure, the number of members of the Parliament and the procedure of their election.

The draft Constitution of the Chechen Republic fully incorporates the principles of the European Convention for the Protection of Human Rights and Fundamental Freedoms as well as the Framework Convention for the Protection of National Minorities. The highest proclaimed goal of the Chechen Republic would be “creation of conditions which guarantee each and every person decent life and free development, civil peace and harmony in society, preservation and protection of historic and cultural heritage of peoples, and their ethnicity” (art. 3, para. 2), the Chechen language is accorded the status of the state language, along with Russian (art. 10, para. 1).

Part II of the draft Constitution (arts. 14-57), fully devoted to the human rights and freedoms of the citizens, is particularly important in the context of the Framework Convention, namely, its art. 16 (prohibition of any form of restriction of citizen’s rights on the basis of his/her social status, race, ethnic origin, language or religious beliefs; other antidiscriminatory provisions), art. 23 (right to use of the mother tongue), art. 25 (guarantees of religious freedom and beliefs), art. 26, paras. 1 and 2 (freedom of thought and speech and prohibition of propaganda of racial and ethnic superiority and instigation of social, racial, ethnic and religious hatred and animosity), art.27 (right to the freedom of association and union), art. 28 (right to the freedom of meetings), arts. 40 and 41 (educational and cultural rights) and several others.

10. In 2000, during the preparation of the Russian Federation report on the implementation of the Framework Convention for the Protection of National Minorities numerous consultations were held with representatives of the Congress of the National Associations of Russia which is a major non-governmental organization representing over one hundred national minorities, and

reports of the subjects of the Russian Federation on the implementation of the said Convention were widely used.

In order to prepare these Commentaries, the Opinion of the Consultative Committee on Russia's implementation of the provisions of the Convention were conveyed to relevant Russian ministries and agencies, the Ombudsman for human rights in the Russian Federation, national minority NGOs in federal status, in particular, to the Assembly of the Peoples of Russia (APR) and its regional branches, the Congress of the national communities of Russia, the Association of the Indigenous Small Peoples of the North, Siberia and the Far East, as well as associations representing the interests of various ethnic groups of the Russian Federation.

A working group of representatives of government bodies and NGOs was established to discuss the report prepared by the Consultative Committee and to determine approaches to the preparation of these Commentaries.

Moreover, an Expert Council section on ethnic, racial and religious intolerance has been established in order to work out additional measures for the implementation the Framework Convention and the recommendations of the Ombudsman for human rights in the Russian Federation, and a special report of the Ombudsman for counteracting ethnic and religious intolerance in Russia to be published in January 2003 is under preparation. The report would focus on ensuring political, social, economic, cultural, educational and linguistic rights of national minorities in the Russian Federation.

11. President Vladimir Putin of the Russian Federation is paying constant attention to various aspects of the implementation of constitutional guarantees of preservation of ethnicity of the peoples of Russia and prospects of developing interethnic cooperation, opposing manifestations of extremism and intolerance based on ethnic origin.

At its meetings, the Russian Government discusses measures to improve the machinery for the protection of the rights of national minorities, particularly, the rights of indigenous small peoples.

The interested Russian ministries and other agencies have intensified their cooperation with national minority associations; special units charged with pursuing the national ethnic policy have been established in various ministries.

At the levels of federal districts and subjects of the Russian Federation, close cooperation with state authorities and local self-government is being pursued by the regional branches of the APR and the Assembly of the peoples of the RF subjects. Informal councils (e.g. commissions, permanent interethnic conferences, public parliaments, public chambers, etc.) for ethnic affairs operate in most federal districts under the auspices of the Plenipotentiary Representatives of the President of the Russian Federation, as well as the governments (administrations) or relevant executive or legislative bodies of the subjects of the Russian Federation or local self-government.

The creation of the post of Minister of the Russian Federation for ethnic policy contributed to a large extent to considerable streamlining of government work in the area of interethnic relations.

Minister V. Zorin of the Russian Federation is in charge of widely based consultations with national minority NGOs. In 2002, the Consultative council for National and Cultural Autonomies under the Government of the Russian Federation resumed its activities. The Council held three meetings and considered the urgent issues of implementing the rights of national minorities and their NGOs, including the participation of representatives of federal national and cultural autonomies in the all-Russian census, amendments to the Federal law on *National and cultural autonomy*, situation in the ethnic language mass media. It also discussed the bill on *Opposing political extremism*, etc. Minister Zorin holds regular consultations with representatives of all federal national and cultural autonomies as well as other national minority NGAs.

Minister Zorin heads the National organizational committee (in government commission status) for the preparation and organization of the International Decade of Indigenous Peoples of the World and the government commission on migration policy, and is a member of the Council on problems of the Far North and Arctic under the Government of the Russian Federation.

12. The introduction of the institution of Presidential Representatives in Federal Districts has considerably promoted the implementation of the State ethnic policy in respective regions. The Presidential Representatives have established a system of consultative bodies with the participation of the representatives of public associations of national minorities. For example, the Expert Council on Ethnic Migration Policy and Interaction with Religious Associations presided by professor B. Mikhailov, a former Minister for Nationalities Affairs, has begun to function effectively in the Central Federal District. There is a similar council to the Plenipotentiary Representative of the President in the Privolzhsky Federal District. In 2002, on the basis of the Cooperation Agreement between the *Siberian Accord* Interregional Association and Association of Numerically Small Indigenous Peoples of the North, Siberia and Far East, the Consultative Council on Numerically Small Indigenous Peoples of the North, Siberia and Far East was established in the Siberian Federal District. The similar body is also being created in The Far East Federal District.

The administrative boundaries do not hinder interaction between persons belonging to national minorities. Congresses and conferences held by peoples of Russia to discuss the issue of protection and promotion of national minority rights and development of interethnic cooperation with the support of the federal district leaders (the Congress of the Union of Armenians, the third Congress of Ukrainians of Russia, congresses of the peoples of Buryatia, Tartar, Bashkir and many other conferences) prove this fact.

In this connection, the concerns of the Advisory Committee as to whether certain administrative difficulties in maintaining contacts and cooperation between persons belonging to a specific minority may arise seem to be groundless.

Article 3

21-22. The Framework Convention protects persons that can be subsumed under national minority and are the citizens of the Russian Federation.

Unlike one of the States Parties to the Convention that denied its citizenship to members of minorities which resided on its territory when it attained sovereignty, or preconditioned such right, the Russian Federation offered its citizenship to all nationals of the former USSR who had expressed their desire to have it, regardless of their ethnic origin, by applying a simplified procedure for more than a decade.

The Russian Party disagrees with the loose interpretation by the Advisory Committee of the statement of the Russian Federation made in connection with the ratification of the Framework Convention, according to which it is unlawful to attempt to exclude persons permanently residing on the territory of the States Parties, who formerly possessed citizenship but had been arbitrarily deprived of it, from the scope of the Framework Convention. Obviously, the statement cannot be construed as readiness of the Russian Federation to extend the scope of the Framework Convention to the persons who recently arrived in the Russian Federation and are not its citizens, including foreigners, migrants and stateless persons temporarily staying on the Russian territory.

We think that such approach does not comply with the provisions of the Framework Convention as well as with the practice of the Advisory Committee itself, which it follows when analyzing situation in States Parties.

However, the rights of foreign nationals and stateless persons who recently arrived in the Russian Federation are guaranteed by the Constitution of the Russian Federation and other federal laws, such as the Law on the Legal Status of Foreign Nationals in the Russian Federation, the Law on Citizenship of the Russian Federation, the Law on Refugees, the Law on Entry to and Exit from the Russian Federation, Labor Code of the Russian Federation etc.

23. Today it would be premature to make any assessments of the draft law on the rights of persons belonging to national minorities which is being discussed in the State Duma of the Federal Assembly of the Russian Federation since 1994 without passing a single reading.

24. See comments to paras. 21-22.

27. During the all-Russian census of population of 2002 measures have been taken to ensure strict compliance with Article 26 of the Constitution of the Russian Federation so that ethnic origin be registered in strict accordance with the declaration of the interviewed persons and census takers be not allowed to compel them to answer to this question. Since under Article 1, para. 4, of the Federal Law on All-Russian Census of Population the participation in the all-Russian census is “a public duty of an individual and a citizen” no sanctions or enforcement measures have been taken in respect of the interviewed persons who had refused to participate in the census or to answer certain questions of the census form. During training the census personnel have been instructed to put the question about ethnic origin in strict accordance with the wording containing in census questionnaires and in the *Census Taker's Manual on Procedures of the All-Russian Census of Population in 2002 and of Filling in the Census Documents* and under no circumstances to correct answers of the interviewed persons.

To monitor the course of the 2002 all-Russian census the Russian Statistical Agency (Goscomstat) has assigned its expert observers to all subjects of the Russian Federation, whose tasks, among others, were to check if the accuracy of filling in the questionnaires. In case of detecting any amendments to the answers about ethnic origin observers should have immediately notified Goscomstat.

28. During the all-Russian census of 2002 no ethnic origin lists have been used. Answers of the interviewed persons to the questions of census forms have been registered in strict accordance with the declaration of the interviewed. Today the Goscomstat territorial bodies prepare census forms for automated processing by coding answers of the interviewed. The answers are encoded on the basis of the Alphabetical List of Nationalities and Ethnic Names that includes 800 names of nationalities, ethnic groups and self-proclaimed names to choose from. The processing of

2002 all-Russian census materials will produce information about all ethnic groups residing on the territory of the Russian Federation. When compiling the Alphabetical List of Nationalities and Ethnic Names developed by the Institute of Anthropology and Ethnology of the Russian Academy of Sciences on Goscomstat's request, a number of consultations and meetings with the representatives of national and cultural autonomies have been organized. Taking into account the opinions of numerically small indigenous peoples of Russia allowed drawing up the Alphabetical List without prejudice to the rights of those peoples.

29. According to Article 8 of the Federal Law on All-Russian Census of Population (para. 1) "the data on population contained in the census forms shall be confidential and shall not be subject to disclosure (dissemination) and shall be used for creating relevant federal information databases." Measures to protect collected personal data have been developed at all stages of the all-Russian census of 2002. All workers who would have taken part in the census or in the processing of its materials have signed service contract in which they were warned against disclosing information contained in census forms. In case of violation of confidentiality of such information the appropriate measures provided by the Russian legislation will be applied. The automated processing of census forms depersonalizes all information contained therein. Hard-copy census forms will be kept in store within one year after the outcome of the all-Russian census and then destroyed in accordance with the established procedure. Pending their destruction the census forms will be stored in secured facilities which may be accessed only by those who are authorized to work with the data.

30. Today the extensive process of replacing Soviet passports with new Russian passports is under way and this procedure is fully accessible to all concerned.

31. In accordance with the practice existing in the Russian Federation, the ethnic origin is not indicated in birth certificates, which is in full conformity with Article 3 of the Framework Convention.

Article 4

34. The investigation of cases of human rights violations in the territory of the Chechen Republic and the prosecution of such violations are an integral part of efforts to restore law and order in the Republic.

An important role in this area is assigned to the Bureau of the Special Representative of the President of Russia on insuring Human Rights and Freedoms in the Chechen Republic Mr. A-K.Soulygov. Since 4 April 2000, it includes among its members three experts from the Council of Europe. Their term has been extended until 4 July 2003. Since March 2000 the Bureau has reviewed more than 21000 cases petitions and received from the residents of the Chechen Republic 7039 complaints about alleged violations of their human rights, of which 2047 related to the right to freedom and personal integrity; 838 - to rights of forced migrants, 616 - to the right to shelter and its inviolability; 473 - to the right to social security; 276 - to the right to the remuneration for work; 185 - to the right to work, and 166 - to the right to receive information. 2142 people filed complaints about 646 instances of allegedly unlawful acts by members of the federal "power structures". More than half of such complaints relate to allegedly illegal arrests, detentions and searches, missing people and tracing such people. Since August 1999, more than 450 criminal investigations have been initiated on cases of kidnapped and missing people. With the direct assistance of the staff of the Bureau, 306 people have been found.

The Prosecutor General of the Russian Federation, by his order № 46 of 27 July 2001, established in the Office of the Prosecutor of the Chechen Republic a Joint Working Group consisting of the top officials of the Republic, heads of various Ministries and Departments, experts of the Council of Europe and representatives of the general public. It is headed by the first Deputy Public Prosecutor of Chechnya and is supposed to carry out oversight functions and to promptly react to violations of the law in carrying out counterterrorist activities. It has been entrusted with the task of coordinating joint actions in response to complaints from citizens of the Russian Federation residing in the Chechen Republic about unlawful acts by military personnel and officers of law-enforcement agencies, and the task of taking measures to promptly appeal against such actions. Since July 2001, members of the Group have taken part in more than 600 actions.

Since the beginning of the counterterrorist operation (August 1999), more than 2000 criminal cases have been initiated in connection with crimes committed by members of illegal armed formations against civilians and federal forces, of which 133 cases have been referred to the court (12 have been heard already), 1052 suspended, 182 terminated and 253 are still under investigation.

Military Prosecutors' Offices have initiated 132 criminal cases in connection with crimes committed by military personnel against residents of the Chechen Republic, of which 46 cases (with charges against 62 people, including 11 commissioned officers) have been referred to military tribunals, 35 terminated, 17 - suspended for various reasons and 15 are still under investigation. 33 people have been convicted, including 8 for murder.

25 criminal cases have been brought against militia officers by the Prosecutors' Offices of the Chechen Republic. 14 of them have been referred to the court, including for crimes against civilians.

35-37. The Federal Law on Citizenship of the Russian Federation which entered into force on 1 June 2002 and the Federal Law on the Legal Status of Foreign Citizens in the Russian Federation (1 November 2002) make it possible to prevent regional and local authorities from abusing the registration regime in relation to national minorities, including Meskhetians.

Given that the above laws establish clear conditions for and procedures of acquiring citizenship of the Russian Federations, persons who do not have Russian citizenship, including Meskhetians in the Krasnodar Region, will be able to acquire it in accordance with the established procedure.

41, 50, 51, 52. Taking into account comments by the Advisory Committee regarding the need to create mechanisms for the implementation of basic laws protecting rights of numerically small indigenous peoples, the Russian authorities would like to note that, as proposed by the Commission on the Delimitation of Terms of Reference between the State Authorities of the Russian Federation reporting to the President of the Russian Federation, government bodies of the subjects of the Russian Federation and local governments have prepared bills designed to amend Federal Law on Guaranteeing the Rights of Numerically Small Indigenous Peoples of the Russian Federation, on General Principles of the Organization of Communities of Numerically Small Indigenous Peoples of the North and On the Territories of Traditional Ecosystem Exploitation. Those bills are intended to create a clear mechanism regulating the implementation of the basic provisions of previously adopted laws. They were elaborated with the direct

involvement of representatives of the Association of Numerically Small Indigenous Peoples of the North, Siberia and Far East.

The Government of the Russian Federation is taking active measures to improve economic and social life of numerically small indigenous peoples of the North. Thus, in 2001 it approved a new Federal Targeted Program on Economic and Social Development of Numerically Small Indigenous Peoples of the North up to the Year 2011. The total volume of financial resources budgeted under that program is 2274 million rubles. 33% of that amount will come from the Federal budget, 55.2% - from the budgets of the subjects of the Russian Federation and the rest - from extra-budgetary resources.

Over the past of 10 years the Government of the Russian Federation implemented two targeted programs which made it possible to build new housing (more than 450 000 square meters), schools and pre-school institutions (for 5500 children), hospitals, polyclinics, deer-breeding bases and so on.

As decided by the Council on the Extreme North and Arctic Affairs attached to the Government of the Russian Federation, the Federal executive authorities have been entrusted with preparing, in cooperation with the executive bodies of the Northern regions and the Association of Numerically Small Indigenous Peoples, proposals regarding the elaboration of normative acts on the exploitation of ecosystems and protection of the environment designed to promote traditional economic activities.

The Ministry of Education of the Russian Federation is entrusted with the development of a set of measures aimed at expanding the educational infrastructure in the areas of compact residence of indigenous peoples of the North, while the Ministry of Public Health is to develop a set of concrete measures to create an effective mobile system for the provision of medical services to such people in remote areas where they live and carry out their economic activities.

There are several educational institutions which continue to provide training services to young people from the numerically small indigenous communities in the Extreme North: They include the State polar Academy in St.-Petersburg, the Institute of Technology of Traditional Trades of Numerically Small Peoples of the St.-Petersburg State University of Technology and Design, the Department of Peoples of the Extreme North of the Russian State Pedagogical University (as of 1 January 2002 the number of students whose tuition was financed from the State budget stood at 784) as well as the Department for the Numerically Small Indigenous Peoples of the North of the Khabarovsk State Pedagogical University.

In 2002, the advanced training with a view to upgrading skills was provided to 80 members of the managerial staff of local governmental bodies in the areas of the residence of numerically small indigenous peoples of the North. In order to provide training services to indigenous communities, a number of Moscow, St.-Petersburg, Tomsk and Tumen higher education institutions opened their affiliates in areas of compact residence of such communities. Thus, in 2001 the Yogorsk State University was opened in Hanty-Mansiisk.

42. Russian authorities take necessary steps to improve the situation of Roma in the Russian Federation.

A total of 17 Roma public associations and 7 Roma national-cultural autonomies are now officially registered in the Russian Federation. They enjoy financial, organizational and other support from State executive bodies of all levels. The Federal National-Cultural Autonomy of Russian Roma actively cooperates with the Minister of the Russian Federation V. Zorin, Ministry of Culture, Government of Moscow, State Duma, Assembly of Peoples of Russia, Moscow House of Nationalities, House of Peoples of Russia and OSCE Bureau on Democratic Institutions and Human Rights. The Roma and the World Association has its representatives in the Advisory Board of Public Organizations of National Groups attached to the Administration of the Rostov Oblast.

In a number of Russian Regions Roma receive land plots for housing construction and small-scale household farming (Krasnodar Region and Volgograd, Tula, Samara, Penza, Leningrad and other Oblasts). The administrations of the above regions are also involved in efforts to improve the infrastructure of places (settlements) with compact residence of Roma (energy, gas, roads, etc.).

In a number of Regions, such as Krasnodar Region and Kaliningrad Oblast, Roma-related matters (legal, economic, educational, cultural, etc.) are addressed as a separate area requiring special additional measures on the basis of non-discrimination. Such practice will be spread to other Regions as well.

Article 5

44. Proposals by the Advisory Committee concerning a more active involvement of the Consultative Council on National-Cultural Autonomies at the Government of the Russian Federation in the preparation of draft normative acts are now being implemented in the work of the Council. In 2002, the Council meetings legislative matters related to problems faced by national minorities. In 2003, it plans to review the work of some Regional consultative councils with a view to disseminating the best practices.

Regional national-cultural autonomies are represented in consultative or other interethnic deliberative bodies to administrations and governments of the subjects of the Russian Federation. Therefore it seems inexpedient in some cases to set up special consultative councils for national-cultural autonomies thereby artificially dividing the established system of interaction between power structures and national public associations. See also comments in paras 11 and 12.

45. After the Ministry of Nationalities Affairs, National and Migration Policy of the Russian Federation and its territorial bodies were abolished assistance in creating cultural autonomies is being rendered by the Ministry of Justice of the Russian Federation, while in implementation of tasks - by the Ministry of Education, Ministry of Culture and Ministry of Press, Television and Radio Broadcasting and Means of Mass Communication of the Russian Federation.

Public councils (commissions, permanent interethnic meetings, public parliaments, public chambers, etc.) for nationalities are active in the majority of the federal districts to Plenipotentiary representatives of the President of the Russian Federation as well as of the subjects of the federation to governments (administrations) or appropriate regional executive or legislative bodies and to local government bodies. See also para. 11.

46. Although no specific budget line is provided for the federal budget national policy some projects were financed through appropriate ministries and agencies in 2002 and will be further financed in 2003.

Moreover a public status of the national-cultural autonomy institute allows to independently determine sources of financing its activities and attract extrabudgetary funds.

47. Within a federal target program "Culture of Russia (2001-2005)" the Ministry of Culture provides for obligatory financing of projects meant for preservation and development of cultures of numerically small peoples.

Taking into account the specificity of the Far North regions the Ministry of Culture gives support also to interregional projects having no federal status. Thus in 2002, funds were allocated for a traditional "Yysah" festive ceremony of meeting summer by Yakut people; "Imlya" rural national Eskimo ensemble; national Khanty and Mansi musical instruments production workshop; Magadan regional folklore festival, etc.

In order to preserve and develop cultures of numerically small peoples of the North, in 2002 Russia's Ministry of Culture co-financed international "Golden Springs" festival of creative work of indigenous peoples of the North in the Koryak autonomous district and provided support for original national collectives of Aginsk Buryat autonomous district, etc.

51. Upon proposal by the Commission to the President of the Russian Federation on the Division of Jurisdiction and Powers between State Government Bodies of the Russian Federation a bill is being prepared to amend the Federal Law on the General Principles of Organization of Communities of Numerically Small Indigenous peoples of the North, Siberia and Far East. According to this bill communities of indigenous peoples shall be non-profitable organizations. A similar amendment is recommended to the Civil Code of the Russian Federation and to the Federal Law on Non-Profitable Organizations. Thus, adoption of this bill will remove the main obstacle which complicated the registration of communities of indigenous peoples.

54. A bill has been finalized amending the Federal Law on the Guaranteeing the Rights of Numerically Small Indigenous Peoples of the Russian Federation. The bill removes from article 1 of the Federal Law the right of the Republic of Dagestan to determine what ethnic groups of Dagestan could be referred to as numerically small indigenous peoples according to their own criteria.

Article 6

56. Development of interethnic dialogue and prevention and suppression of manifestations of racial, ethnic and religious intolerance represent the main prerequisites for maintaining interethnic peace and political stability in the multinational and multiconfessional Russian Federation.

The majority of regional authorities take specific measures to elaborate and improve the forms of relations between peoples, adopt new programs of their socio-economic and national-cultural development, attain interethnic and religious harmony, remove the basis for interethnic contradictions and conflicts. The mechanism of dialogue of federal and local authorities with public organizations of national minorities gained strength (more details see in comments to para. 11).

The government of Russian Federation supports initiatives aimed at deepening the dialogue and consultations among Christian and Muslim religious associations and communities on issues related to counteraction to manifestations of intolerance and extremism, first of all within the context of the situation in the North Caucasus (more details see in para. 65).

An important achievement in promotion and development of interethnic dialogue in the North Caucasus, because the signing on October 10, 2002, by Presidents of the Republic of North Osetia-Alania and Ingushi Republic of the Agreement on Cooperation and Good Neighbor Relations providing for a set of measures called for eliminating all the consequences of the Osetic-Ingush conflict as well as tasks of counteracting terrorism, maintaining law and order and ensuring security in the region.

As a result of measures which have been undertaken by January 1, 2003, 26460 citizens (4716 families) and 40953 of citizens (7287 families) of Ingush nationality which fled their homes due to the conflict returned to places of their permanent residence in the territory of the Republic of North Osetia-Alania.

57. Terrorist acts committed by gunmen in the territory of the Russian Federation are aimed at destabilization of political and interethnic situation in the country. Therefore a prompt and extensive initiation of measures which should suppress possible clashes on a national ground represents an essential component of the counterterrorist activities in the Russian Federation.

During tragic events in Moscow last October 23-25 engendered by hostage-taking in Dubrovka theatre-center the Russian leadership undertook large-scale efforts in order to exclude manifestations of national animosity. During the first hours after the hostage-taking President Vladimir V. Putin of the Russian Federation organized a meeting with heads of the Ministry of the Interior and Federal Security Service of Russia where he stated (these words were broadcasted many times by all Russian TV and radio channels) about inadmissibility of any manifestations of unlawful acts against Chechens who "like representatives of other peoples of Russia, many of them in the Chechen Republic as well, protect Russia's interests and fight for the future of their republic, doing it with arms in their hands, sometimes at the cost of their life".

Simultaneously electronic and print media published appeals by Moscow mayor, other high-ranking officials and prominent cultural workers not to yield to provocations of gunmen and to preserve interethnic peace and calm.

Bodies of the interior took prompt and efficient measures to suppress possible provocations against Chechens and Caucasians, and a special "hot line" was set up to report unlawful actions or threats against representatives of national minorities.

Immediately after the hostage-taking in Moscow Minister V. Zorin of the Russian Federation for National Policy met with leaders and authoritative persons of the Chechen Diaspora to work out measures aimed at suppression of extremist manifestations against representatives of national minorities.

Far-reaching steps were also taken to prevent possible growth of extremism. On December 25, 2002, on initiative by M.Kasyanov, Chairman of the Government of the Russian Federation, the Ministry of the Interior of the Russian Federation organized a coordination meeting attended by heads of the FSS, Supreme Court, Prosecutor-General's Office, Ministry of Justice of Russia on the issue of prevention of extremism in the Russian society and suppression

of manifestations of national discord. The meeting decided to establish an interagency commission for prevention of extremism in the Russian society and suppression of manifestations of national discord headed by V.Zorin, Minister of the Russian Federation.

Plenipotentiary representatives of the President of the Russian Federation were instructed to set up in districts and subjects of the Russian Federation interagency groups for coordinating prevention of extremism and supervision over implementation of the Federal Law on Counteracting Extremist Activities, as well as deliberative (consultative) bodies for public-religious relations with direct participation of representatives of public and religious associations in their activities.

58. Russian authorities intensified measures of prevention of extremism against representatives of national minorities and foreigners. Thus the Federal Law on Counteracting Extremist Activities adopted last July provides for enhanced responsibility, including criminal, for setting up groupings advocating social, racial and religious intolerance. At present, public prosecutors' offices investigate about 30 criminal cases instituted on the basis of facts of unlawful actions against representatives of various ethnic groups.

59. Educational establishments of the Ministry of Defence and Ministry of the Interior of the Russian Federation included in their curricula special courses of human rights, history, culture of peoples of the Russian Federation in order to cultivate in students a required level of culture of interethnic communication.

61. The Prosecutor's Office of the Rostov region, in line with Article 282 of the Criminal Code of the Russian Federation, issued warnings to a number of the leaders of the organizations representing Cossacks whose statements undermined inter-ethnic relations.

The Prosecutors of the subjects of federation were given guidelines on investigation of crimes connected with infringement of the equality of citizens' rights on the grounds of national, racial or religious belonging. Instructions were given on immediate informing of the Prosecutor General's Office of the Russian Federation of every case of such wrongful activities, as well as the measures taken by the Prosecutors' Offices.

65. The Muslim part of the population of the Russian Federation amounts to approximately 18 million people, and the number of registered Muslim religious organizations equals 2769. During 1990s thousands of new mosques were constructed in all the places of compact settlements of the Muslims.

Russian authorities pay special attention to prevention of interdenominational tension as well as to facilitation of the dialogue between different religious groups. For instance, there exist two advisory bodies at the federal level aimed at maintaining the dialogue between the Government and different religious groups: the Presidential Council for the Interaction with Religious Associations, and the Commission of the Religious Associations' Affairs of the Government of the Russian Federation. In most federal districts and subjects of federation consultative, advisory and expert bodies with participation of representatives of religious organizations were created to consider of religion and ethnicity issues.

In 2002 a number of activities has been performed, devoted to various aspects of relations between different religious groups as well as relations between the religious groups and the Government. In September 2002, a workshop was held in Zheleznovodsk "Through the Dialogue of Religions to Stable Peace and International Concordance in the North Caucasus", participated by the leaders of religious associations of Orthodox Christians and Muslims. A great deal of attention was attracted by the international conference "Christianity and Islam. XXI century." held on 1-11 September in Moscow.

The leaders of Muslim religious organizations take active part in international conferences and seminars on the issues of the role of religion in the modern society. The international conference held in

Baku by the OSCE (10-11 October 2002) was participated by M.O. Albogatchiev, Mufti, Head of the Coordinating Board of the Muslims of the North Caucasus, and A.D. Shamaev, Mufti of the Chechen Republic. See also response to paragraphs 56-60.

Article 7

69. Critical assessment by the Advisory Committee of the 2001 Law on Political Parties, that prohibits the establishment of political parties "on the grounds of professional, racial, national or religious belonging" does not take into consideration the peculiarities of the Russian Federation as a multiethnic and multid denominational state, in which any approach other than this can provoke inter-ethnic tension.

The said provision of the law is aimed at excluding the possibility of the establishment of parties whose ideology may include propagation of racial, ethnical or religious pre-eminence or superiority.

Representative of the ethnic minorities are members of various political parties permitted by the law. In this capacity they have full right and possibility to defend their legitimate interests by political means, introducing relevant provisions pertaining to the defense of the national minorities' rights into the parties' policy documents.

71. Many public organizations and associations work actively in the Chechen Republic, including human rights organizations and the branches of political parties. In particular, public associations and organizations participated in the discussion of the draft Treaty for the Public Consent in the Chechen Republic (hereinafter referred to as the Treaty). The document has been prepared and tabled on 8 October 2002 and was published in a number of republican and district newspapers of the Chechen Republic ("Terskaya Pravda", "Marsho", and others).

The document formalizes the treaty participants' consent to defend their beliefs by political means and sets forth a systematic platform for political settlement of the conflict in the Chechen Republic on the basis of implementation of the principle of sovereignty, the starting point of which is the conduction of the referendum on draft Constitution of Chechnya.

In the course of the discussion of the Treaty, the Office of the Special Representative in the Chechen Republic received more than two hundred comments, observations, and suggestions from nearly all the cities and towns, and districts of Chechnya from public associations ("Daimohk", "Consolidation", the "Assumption of Innocence" Committee, "The Union of Women of Chechnya", and others), branches of political parties (the party "United Russia" ("Edinaya Rossiya") was the most active one), labour collectives of establishments, religious communities, the communities of immigrants from the Chechen Republic residing in other subjects of the Russian Federation. Numerous decisions taken by gatherings of citizens in rural settlements are especially notable.

Measures are taken to mobilize and structure civil society in the framework of forming the structures of the Civil Forum of the Chechen Republic: the Human Rights Council, the Council for Reconciliation and Consent, the Human Rights House, and the House of Representatives.

76. It is technically impossible to ensure broadcasting of the two existing federal television channels and three state radio stations of the Russian Federation in all the 120 languages of the national minorities. Selective approach to the issue i.e. making broadcast time available to some ethnic groups may provoke discontent of others.

Article 10

83, 84. While adopting the amendment to the Federal Law on the Languages of the Peoples of the Russian Federation the legislators proceeded from the fact that the Republic of Tatarstan took the decision on gradual transition from the Cyrillic to the Latin alphabet without extensive consultations with the authorities of nearly 30 subjects of the federation where the compact settlements of the Tartars are situated (only 30 per cent of the Tartars reside in the Republic of Tatarstan).

Generally, the Tartars residing in other subjects of the federation study their language in public schools. Higher educational establishments of a number of subjects of the federation carry out training and professional development of the teachers of the Tartar Language and Literature. Change of the alphabet would lead to the necessity of considerable financial expenditures from regional budgets.

Besides, this amendment does not change the status quo and preserves the use of the Cyrillic alphabet in the languages of the peoples of the Russian Federation.

Article 12

90. A priority task of the Federal Government and the Administration of the Chechen Republic is to restore the educational facilities of the Chechen Republic which were almost completely destroyed under the separatists' rule.

As per September of 2002, there are 37 pre-school educational establishments, 459 general education schools (19.997 million pupils), 4 high schools (3,173 pupils), 1 college (365 students), 4 schools for handicapped children and 5 boarding schools for orphans as well as 28 evening schools (for persons over the school age who had no possibility to receive education in the previous years). There are computer rooms in 106 schools of the Republic and computing centers in all the higher education institutions.

There are 109 consulting units in the schools located in the mountainous and hard-to-reach areas.

Instruction in the two languages, Russian and Chechen, have been introduced in all the educational establishments, and the Chechen language and literature are credit subjects.

More than 500 of those who left their secondary schools in 2002 went on to 93 higher educational institutions or corresponding preparatory courses in 25 subjects of the Russian Federation.

Besides, some 40 thousand children go to 60 physical culture and music school and child recreation centers.

The Chechen State University, the Chechen State Institute of Petroleum and the Chechen State Teachers Institute train the staff for the national schools, including teachers of the Chechen language and literature. Today, the number of students amounts to 18.9 thousand persons, whereas the teaching staff is 1,139 persons. There are also colleges and technical schools (7,500 students) as well as vocational schools (7,800 students) in the territory of Chechnya, which are intended for training industrial and agricultural staff of the Republic and at the same time their students are taught liberal arts.

There are also 59 state schools for the children of internally displaced persons in Ingushetia, who also receive instruction both in the Chechen and Russian languages.

91. The Russian side is unaware of any measures taken by the local or regional authorities to limit the access of persons belonging to national minorities to education opportunities in this region.

For example, the state education system covers all children of the Meskhetian Turks residing in the Krasnodar region, irrespectively of their parents' and relatives' status. See the comments on para. 35-37.

Article 14

94-100. Nowadays, the instruction imparted in the Russian schools is in 38 languages. Some 80 national languages, including those of national minorities, are taught in almost 9 thousand schools.

It should be said that the number of schools that provide teaching of and in natural languages in the places of compact settlements of national minorities tends to increase. Thus, there are 47 Armenian, 85 Kazakh, 19 Turkmen and other schools in the territory of Russia. There are 56 Chuvash, 18 Udmurt, 9 Mari pre-school educational establishments in the Republic of Tatarstan. There are 140 Chuvash, Chuvash-Russian and Chuvash-Tatar schools where more than 8,374 Chuvash children learn their natural language.

The teaching in the schools of the Republic of Bashkortostan is in Russian, Bashkir, Chuvash, Mari and Udmurt languages. Six more languages are taught, namely Ukrainian, Belarus, German, Hebrew, Greek and Mordovian. There are higher educational institutions that train teachers of these languages.

As per September 1, 2002, 103,729 pupils of 664 general education schools of the North, Siberia and the Far East learn 23 languages of numerically small indigenous peoples of the north, while the teaching is in three languages.

Today, the Ministry of Education of the Russian Federation makes intensive efforts to broaden the access of young persons, in particular those belonging to indigenous peoples, to higher professional education. This problem is addressed both through setting up Universities in the Republics and opening branches of higher educational institutions in the places of their compact settlements.

The Ugra State University was established in Khanty-Mansiysk in 2001. There are now more than 70 branches of the higher educational institutions, including of those located in Moscow, St. Petersburg, Novosibirsk. 11 branches have been opened so far in the Khanty-Mansiysk autonomous okrug, 17 in the Yamalo-Nenets autonomous okrug, 11 in the Republic of Sakha (Yakutia), 8 in the Komi Republic, 4 in the Chukotsk autonomous okrug, 2 in the Agin-Buryatsk autonomous okrug.

It shall be noted that all the languages have different lexical, semantic cultural and civilizational potentials. As a result, a lot of parents belonging to national minorities don't think it necessary to have their children taught of their national languages at higher grades.

As to the federal regulation concerning the introduction of a minority language as a language of instruction, such a measure, if taken in the Russian Federation, may restrict the possibilities that the regional authorities and local government bodies have in securing the national minorities' right to receive instruction in or of their languages.

Nowadays, some subjects of the Russian Federation provide groups of 3 persons with the opportunity to learn their national languages.

According to the comments made by the Advisory Committee, draft amendments to the Federal Law on National-Cultural Autonomies will include provisions to ensure the application of Article 14 of the Framework Convention.

Article 15

105, 107, 109. In recent years, Russian authorities have intensified interaction with the public national-cultural organizations which have been actively engaged in drafting laws concerning the life and development of national communities in Russia and addressing important public issues of the national policy.

It should be noted that an important role is played by the Assembly of Peoples of Russia, a Russian public organization that was set up in 1998 in pursuance of the Concept of the State National Policy, adopted by the Decree of the President of the Russian Federation in 1996.

The Assembly of Peoples of Russia (ANR) has its offices in the territory of 76 subjects of the Russian Federation. All the federal national-cultural autonomies, public ethnic-national unions and associations are its member societies.

The Assembly, one of the largest inter-ethnic institutions of the civil society, which represents more than 120 ethnic nationalities of Russia, is to:

- ensure a continuing dialogue and cooperation with the State authorities and local government bodies when addressing the problems of national minorities; ensure the respect for the rights of the peoples of Russia;
- participate in the legislative development in the sphere of inter-ethnic relations, respect for ethnic-cultural rights of national minorities, numerically small indigenous peoples and numerically small ethnic groups of Russia;
- make cooperative efforts with the State authorities to prevent and resolve inter-ethnic conflicts.

Thus, in the Orenburg region all the activities in the field of national policy are carried out through joint efforts of the Committee on Inter-Ethnic Relations of the Administration of this oblast and the Council on Ethnic Nationalities, a public organization that is a member society of the ANR. A distinctive feature of all regional activities is their inter-regional character. In the Inter-Regional Scientific and Practical Conference "Ethnoconfessional Dialog: State, Contradictions and Prospects for Development" held in November 2001 the representatives of more than 20 subjects of the Russian Federation took part.

In the Republic of Tatarstan a collective body member of the Association of the Peoples of Russia is the Association of National-Cultural Organisations (ANCO) of the Republic of Tatarstan, which actively interacts with the Ministry of Culture and Ministry of Education. Thus, with the assistance of the ANCO in Kazan a multiethnic Sunday school has been established in which any community may open its class. The school is financed from the municipal budget.

Furthermore, the Association has concluded an agreement with the Ministry of the Internal Affairs attached to which a coordinating council of officials of the Ministry of Internal Affairs and the leaders of national-cultural communities has been established to settle conflict issues, i.e. those of registration.

The Assembly of the Peoples of the Samara Region effectively interacts with authorities. This has made it possible to take a decision on the budget financing of activities in the sphere of national policy. For example, in the regional budget for 2002 the sum of 3 million. 800 thousand rubles was allocated for the item "national policy". The same item has also emerged in the municipal budget of Samara. In 2003 the Assembly of the Peoples of the Samara Region plans to achieve the establishing of the item "National policy" in the municipal budget of Toljatti.

Others achievements of the activities are the emergence at the waves of the Radio-7 radio station of a program broadcasting from the city of Samara in twelve languages.

One should also note the experience of interaction between national social organizations and municipal authorities. One can cite as an example the city of Nizhni Novgorod, in which representatives of more than 100 peoples live. With 90 per cent of the city's population being Russian, 27 national social organizations - cultural centers, social movements, national culture societies are registered in it. Their activities are closely connected with the Department of Public Relations, Confessional and Inter-Regional Ties of the Administration of Nizni Novgorod and are aimed at building a common multiethnic city, strengthening civil peace, forming tolerance.

108. In connection with the establishing of a Government Commission on Migration Policy headed by V.Y.Zorin, which is also in charge of solving the problems of Meskhetians Turks in the Russian Federation, the Interagency Commission on the Problems of Meskhetians has been abolished.

In 2002 two sessions of the Governmental Commission were held, in the course of which approaches to the solution of the most topical problems connected with the status of Meskhetians in Russia were elaborated.

Article 16

110, 111, 113. In the process of exercising supervision over the conformity of normative and legislative acts of the authorities of the Krasnodar region, regulating migratory process to the Constitution of the Russian Federation and federal legislation, in the period from 1997 to 2002 the Office of the Prosecutor of the region revealed 12 unlawful acts, lodged 17 protests with a view to eliminating the committed violations, filed 9 petitions to court for recognizing the questioned acts as contrary to the existing legislation and not subject to application.

In the municipal formations of the Krasnodar region legal acts pertaining to migration policy have also been repeatedly revealed. The range of violations committed by the local authorities in this sphere is rather wide: from violating the constitutional right to freedom of movement, choice of residence and domicile to imposing various duties on newly arrived citizens.

112. The Russian Federation does not shrink away from its obligations on solving problems connected with Meskhetians Turks. At the same time, the Russian Federation expects the Council of Europe to put pressure upon the Georgian authorities in honoring their commitments on joining the Organization - to host in their territory the part of representatives of Meskhetians Turks who express wish to repatriate to Georgia.

114. As a result of signing on October 10, 2002 an Agreement between the Presidents of the Republic of North Ossetia-Alania and the Republic of Ingushetia on Cooperation and (Good) Neighborliness providing for a complex of measures on completing the process of elimination of the consequences of the Ossetian-Ingush conflict, and also tasks on countering terrorism, maintaining law and order and ensuring security in the region, as of January 1, 2003, 26 460 citizens (4716 families) and 40 953 citizens (7287 families) of the Ingush nationality who left their places of permanent residence due to the conflict has returned to their places of permanent residence in the territory of the Republic of North Ossetia-Alania.

In 2002 85.8 thousand of internally displaced persons (IDP) returned to the Chechen Republic. To control the creature comforts, return and settling down of internally displaced persons a Joint Working Group with the Federal Migration Service of the Ministry of Internal Affairs of the Russian Federation and the Special Representative of the President of the Russian Federation for ensuring human rights and civil rights and freedoms in the Chechen Republic has been established.

Additional stationary centers of temporary accommodation have been built. All the premises have all conveniences necessary for habitation (electricity, heating, gas, potable water). In the Chechen Republic shanty towns and carriage places of temporary accommodation have been liquidated. In 2002 in Grozny 18 council houses (6114 flats) were commissioned.

Regular meetings are held and joint inspections of centers of temporary accommodation and places of compact settlements of internally displaced persons both in the Chechen Republic and the Republic of Ingushetia are carried out with the participation of the Governments and migration service bodies of the Chechen Republic and the Republic of Ingushetia. Particular attention is paid to the monitoring of observing the principle of the voluntariness of internally displaced persons' return from the Republic of Ingushetia to the Chechen Republic.

At present in the Office of the Special Representative in the Chechen Republic there is no appeal against the fact of forceful displacement of internally displaced persons from the Republic of Ingushetia to the Chechen Republic.

IV. Main Findings and Comments of the Advisory Committee

118. Findings and comments of the Advisory Committee will be certainly useful in the further dialogue between the Government and national minorities while implementing legislative, political and institutional measures aimed at encouraging ethnic, linguistic and cultural identity of the peoples of the Russian Federation and strengthening mechanisms for the protection of their rights.

At the same time the Russian side notes that many issues that caused preoccupation of the Advisory Committee have been resolved in full conformity with spirit and letter of the Framework Convention and previous recommendations of the Council of Europe.

This is true for the 2002 nation-wide census (para.122); a form of new Russian Passports (para.123); introduction of antidiscriminatory provisions into the Russian laws (para.124); improvements in the consultation mechanism for national-cultural autonomies (para.128) and involvement of national minorities in decision-making processes that directly affect their interests (para.129); taking effective actions for the development and promotion of inter-ethnic dialogue, including at the local level (para.132); training of law-enforcement officials in the field of human rights, including the rights of national minorities (para.133); enforcement of the Law on Preventing Extremist Activities (para.136); enjoyment of the right to use minority languages in private and in public (para.145); use of geographical names in minority languages (para.149); bringing the legislation of the Republic of Dagestan in conformity with Article 15 of the Framework Convention (para.157); full use of the consultative structures established for the protection of national minorities (para.160); bringing the legislation of some constituent entities of the Russian Federation in conformity with provisions of the constitutional and federal laws, in particular in the matters of migration regulation (para.162); ensuring a stable and voluntary nature of the return of internally displaced persons (para.163); and some others.

The Russian side has thoroughly studied the comments concerning enforcement of Article 9 (paras. 143 and 144) of the Framework Convention relating to the use of the languages of national minorities in federal (nation-wide) radio and TV broadcasting. Whereas in 200... 113 radio programmes and 163 TV programmes broadcasting in national languages of the peoples of Russia were registered, in 2002 the number of radio programmes increased to 297 and the number of TV programmes increased to 418. At the present time in the Russian Federation 56 languages are used in radio broadcasting and 69 national languages in TV broadcasting. We are interested in developing dialogue with the Advisory Committee in this field and ready to use the experience of other member States of the Council of Europe in managing nation-wide radio and TV broadcasting simultaneously in several dozens of languages.

Comments and recommendations concerning Article 12 (paras. 150, 152, 153) of the Framework Convention relating to the educational rights of minorities are of particular interest to us.

Nowadays education in public schools in Russia is arranged in 38 languages, and 75 national languages are taught as separate subjects. Although in recent years the Russian side generally made certain significant efforts to develop national schools (currently more than 9 thousand national schools are operative in the country, including 47 Armenian schools, 85 Kazakh schools, hundreds of special Ukrainian classes in general education schools), we believe that there is room for improvement in this field. And in this instance we are ready to scrutinize the experience of other countries in managing public school education in several dozens of languages of peoples and ethnic groups living in their territories.

During public discussion of this document disagreement was expressed. We hope that the underestimate by the Advisory Committee of comprehensive measures taken by the Russian leadership in order to change drastically the situation, including that of the small indigenous peoples of the North (paras. 127 and 131), use of inadequate information on the alleged problems as regards registration of "some minority religions" (para.142), assertion that effective participation of persons belonging to national minorities in economic life is restricted (para.161), as well as the appeal (para.164) to the Russian authorities to facilitate the issuance of visas to the persons belonging to national minorities for visits to the neighboring States (whereas embassies of foreign States issue such visas), etc., can be attributed to the insufficient scrutinizing of documents submitted by the Russian side and the lack of adequate mechanisms for dialogue between the Advisory Committee and the Russian Federation during drafting of this Opinion. In Part III of the present comments we provide additional clarifications on several matters that caused particular concerns (paras. 121, 126, 138, 140, 152, 163).

At the same time we consider as extremely relevant the comments and proposals of the Advisory Committee concerning the necessity to develop a more comprehensive approach to the suppression of different forms of national and religious intolerance, chauvinism and xenophobia.

Thanks to the efforts of the leadership of the Russian Federation, local authorities, constructive stance of public associations of national minorities and responsible attitude of the Russian civil society in general, our country has managed to avoid any serious interethnic conflicts, to preserve and increase cultural wealth and identity of the peoples of Russia. In this context we would like to draw particular attention to the fact that the efforts to maintain interethnic peace and harmony were made under the most severe conditions of political, social and economic crises of 1990-s, highly complicated migration processes connected with the disintegration of the USSR and serious situation in some neighboring countries.

Nevertheless, the authorities of the Russian Federation clearly realize the necessity to build up efforts in order to improve the Russian legislation and law-enforcement practice, as well as to fulfil strictly international obligations concerning protection of rights of national minorities and expect that the dialogue with the Advisory Committee, other institutions and structures of the Council of Europe involved in this sphere, in the process of the implementation of the Framework Convention for the Protection of National Minorities will strengthen and intensify.

Выпускающий:

(Г. Соколов)

© Перевод на англ. язык
ДЛЮ МИД России
20.02.2003
Fin34/pc 3